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ACTS

OF

ASSEMBLY,

PASSED IN THE

ISLAND of JAMAICA;

From 1681, to 1754, inclusive.

LONDON:

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MDCCLVI.

ACTS

OF

THE ASSEMBLY

OF

JAMAICA,

BRITISH MUSEUM

ADVERTISEMENT.

SEVERAL Acts of the Assembly of Jamaica having, since the printing of the last Edition, (which comes no further down than the Year 1737) become obsolete, repealed, or expired; and a great Number of New Laws, relating as well to the Policy and Trade of the Island, as to the Property and Privileges of the People, having also since been made and confirmed; a Correct Edition of all the Laws now in Force is thereby rendered absolutely necessary, and has been consequently much wished for by the Inhabitants of Jamaica, as well as by the Merchants of Great Britain, and others who have Connections with that Island. The Editor of this Edition has had free Access to the Records, with Liberty to Transcribe and Compare, and was encouraged by the Principal Gentlemen of the Island to improve those Opportunities to the Completing of this Work. He has accordingly collected together all the Laws from the Year 1737, where the last Edition ends, to the Close of the Year 1754. But as the Abridgment of that Edition, and Table of Titles prefixed thereto, has not given general Satisfaction; there is here substituted in its Place, a New and Exact Abridgment, in the Manner of an Index, with General and Marginal Heads or Titles, under which the Subject-Matter of each Act and Clause is carefully ranged and digested. And to prevent any Disappointment or Delay to Persons consulting the Index, there is likewise prefixed to it, A Table of the abovementioned Titles; upon turning to which, the Reader finds himself immediately referred to those Pages that contain the Subject of his Enquiry. The forming this New Index has been attended with some Labour and Pains, being done upon an entire new Plan, the Usefulness whereof, 'tis hoped, will sufficiently recommend it to the Reader.

The Table of Contents, prefixed to the former Edition, having also given great Disgust, in referring the Reader to the Body of the Book, to be informed which Acts were in force, and which not; that Inconvenience is now prevented by A Table of the Acts, in the Annual Order they have been passed, from the Beginning to the present Time, shewing, at One View, the *Publick Acts now in force*, these which are *Obsolete*, *repealed*, *or expired*; and the *Private Acts* which have had the *Royal Assent*.

The

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THE Editor having met with an authenticated Copy of the PROCLAMATION iſſued by King CHARLES II. at the firſt Settlement of a Civil Government in JAMAICA, and believing the Publication of it would not be unacceptable, as it has always been underſtood to be the Ancient Charter of the Iſland, it is placed after the LAWS, immediately before the ABRIDGMENT.

☞ *The Reader will obſerve, that* Acts 190, 191, 192, *are near expired; but, being expected to be revived, are here inſerted.*

A TABLE

A

TABLE

OF THE

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Private Acts——1695.

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An Act appropriating the Sum of 1500 *l.* to the Uſe of the Right Hon. Sir *William Beeſton*, Knt.

Private Acts——1698.

An Act to enable Truſtees to ſell Part of the Land of *James Crips*, deceaſed, to diſcharge a Mortgage.
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Private Acts——1699.

An Act to enable Sir *Thomas Modyford* to ſell Lands in *Jamaica*.
An Act to impower Truſtees to ſell Lands for Payment of Debts and Legacies of *Robert Byndloſs*, Eſq; deceaſed.
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An Act for entailing a Parcel of Lands upon *Edmund Edlyn*, Eſq; and his Heirs, according to an Agreement made before Marriage.

Publick Acts expired. Paſſed Anno 1701-2.

An Act for quartering Officers and Soldiers.
An Act for reviving the Act for raiſing an additional Duty and Impoſt.
An Act for prohibiting the Exportation of Arms, Ammunition, and Proviſions to Strangers in time of Danger.

Private Act——1701-2.

An Act for the Naturalization of *Joſiah James Hanſes*, a Minor.

Publick Acts obſolete or expired. Paſſed Anno 1702.

An Act for raiſing ſeveral Sums of Money to diſcharge the Publick Debts, and providing Funds for the Safeguard of the Iſland.
An Act to confirm the Acts of the laſt Aſſembly.
An Act for the more effectual raiſing Parties to purſue and deſtroy rebellious and run-away Slaves.
An Act for raiſing an additional Duty and Impoſt.
An Act for the preſent Subſiſtence of her Majeſty's Officers and Soldiers.

Private

Private Act——1702.

An Act to reimburſe *John Sadler*, Gentleman, for Money expended for the Improvement of the Eſtate of *Sarah Grace Sedgwick*, a Minor, deceaſed.

Publick Acts repealed. Paſſed Anno 1702-3.

An Act to prevent the Re-ſettling of *Port Royal*.

An Act to inveſt her Majeſty in Land in *Kingſton*, for the Reception of the Sufferers by the late dreadful Fire at *Port Royal*, declaring *Kingſton* to be the chief Seat of Trade, and head Port of Entry; and fortifying *Weſt Cheſter*. [This Law is not recorded.]

Publick Acts in Force. Paſſed Anno 1703.

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Publick Acts repealed or expired.——1703.

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An Act for the better Recovery of the Money raiſed by an Act, intituled, "An Act for raiſing "Money for providing an Addition to the Subſiſtence of her Majeſty's Officers and Soldiers, and "for other Uſes."

An Act for encouraging Privateers, and other ſeafaring Men, and to prevent Impreſſing.

An Act to impower the Juſtices and Veſtry of the Pariſh of St. *George* to raiſe and pay in their Taxes by a former Act; and to indemnify the Juſtices and Veſtry of the Pariſh of St. *Thomas* in the Eaſt, and St. *David*'s, for not raiſing their Taxes in Time limited.

An Act to prevent the Incurſions of the Enemy on the Sea Coaſts.

An Act for the Continuance of an Act, intituled, "An Act for raiſing Money for providing an "Addition to the Subſiſtence of her Majeſty's Officers and Soldiers, and for other Uſes:" And alſo for continuing one other Act, intituled, "An Act for the better Recovery of the Money "raiſed by an Act, intituled, An Act for raiſing Money for providing an Addition to the Sub-"ſiſtence of her Majeſty's Officers and Soldiers, and for other Uſes."

An Act for raiſing and appropriating an additional Duty and Impoſt.

An Act for making the Quay, whereon *Fort Charles* and *Fort William* are erected, a Port of Entry.

Private Acts——1703.

An Act for making good and valid the laſt Will and Teſtament of *Anthony Wood*, late of *Port Royal*, Gentleman, deceaſed.

An Act to confirm an Agreement made between *Olivia Read*, Widow, and *Nathaniel Brown* and *Anna Petronella*, his Wife, for the Maintenance of the ſaid *Olivia Read*; and providing Portions and Annuities for the Children of *George Read* and *John Read*, deceaſed; and appointing Commiſſioners to ſell Lands for Payment of Debts, and other Uſes.

Publick Act in Force. Paſſed Anno 1704.

An Act to prohibit the keeping any Quantities of Gunpowder on Port Royal, *and for the better regulating and Security of the ſaid Town; and to enable the Freeholders to chuſe Church-wardens, Veſtry-men, and other Parochial Officers, although the Time for chuſing thereof be elapſed already*, —— —— —— 81

Publick Acts expired——1704.

An Act for the longer Continuance of an Act, intituled, "An Act for the Continuance of an Act "intituled, An Act for raiſing Money for providing an Addition to the Subſiſtence of her Ma-"jeſty's Officers and Soldiers, and for other Uſes:" And alſo for continuing one other Act, intituled, "An Act for the better Recovery of the Money raiſed by an Act, intituled, An Act for "raiſing Money for providing an Addition to the Subſiſtence of her Majeſty's Officers and Sol-"diers, and for other Uſes."

An Act to give further Time to ſeveral Perſons that have not paid in their Quit-rents on the firſt Day of *May*, 1704.

An Act for the better Recovery of Publick Debts.

An Act for raiſing Money for a further Subſiſtence of her Majeſty's Officers and Soldiers in this Iſland under Pay, and for other Uſes.

Publick Acts in Force. Paſſed Anno 1705.

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Publick Acts expired——1705.

An Act for continuing an Act, intituled, " An Act for raiſing Money for a further Subſiſtence of " her Majeſty's Officers and Soldiers in this Iſland under Pay, and for other Uſes."

An Act for appropriating Money for ſupporting of Parties to ſuppreſs rebellious and run-away Slaves, and for other Uſes.

An Act for raiſing an additional Duty and Impoſt, and appropriating Money for ſeveral Uſes.

An Act to provide an additional Subſiſtence for her Majeſty's Officers and Soldiers, and for other Uſes.

Private Act——1705.

An Act to enable *Cary Bodle*, and others, to ſell Lands for the Payment of Debts and Legacies, for the Improvement of the Eſtate of the ſaid *Cary Bodle*.

Publick Act in Force. Paſſed Anno 1706-7.

An Act for the Encouragement of good Miniſters to come to this Iſland, —— 86

Publick Acts obſolete or expired. Paſſed Anno 1706-7.

An Act for making Proviſions for the Maintenance of Priſoners at War for one Year.

An Act to enable the Treaſury to pay ſeveral Sums of Money diſburſed upon extraordinary Occaſions.

An Act for raiſing an additional Duty and Impoſt, and appropriating Money for ſeveral Uſes.

An Act for the further Encouragement of Parties, and more ſpeedy Reduction of rebellious and run-away Slaves.

An Act for the ſpeedy collecting of outſtanding Debts.

An Act to provide an additional Subſiſtence for her Majeſty's Officers and Soldiers, from the 1ſt of *February* 1706, to the 1ſt of *February* 1707.

Publick Acts expired or repealed. Paſſed Anno 1707-8.

An Act to provide an additional Subſiſtence for her Majeſty's Officers and Soldiers, from the 1ſt of *February* 1707, to the 1ſt of *February* 1708.

An Act for raiſing an additional Duty and Impoſt, and appropriating Money to ſeveral Uſes, for the Year 1708.

An Act for making Proviſion for the Maintenance of Priſoners of War, for the Year 1708.

An Act for making good deficient Funds, and appropriating ſeveral Sums of Money.

An Act for regulating Fees. (*Vide* Act 56.)

Private Acts——1707-8.

An Act for confirming the Sale made by *Jane Booth* to *Joſeph Dunſton*.

An Act to prevent Slaves being Evidence againſt *Manuel Bartholomew*, a free Negroe.

An Act to prevent Slaves being Evidence againſt *John Williams*, a free Negroe.

Publick Acts in Force. Paſſed Anno 1709.

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An Act for continuing an Act, intituled, " An Act for raiſing an additional Duty and Impoſt, and " appropriating Money for ſeveral Uſes, for the Year 1708."

An Act to provide an additional Subſiſtence for her Majeſty's Officers and Soldiers, from the 1ſt of *May* 1709, to the 1ſt of *May* 1710.

An Act for raiſing an additional Duty and Impoſt, and appropriating Money for ſeveral Uſes, for the Year 1709.

An Act for maintaining Priſoners of War for the Year 1709.

Private Acts——1709.

An Act for the better ſecuring the Title of *John Sadler*, Eſq; to certain Lands, by him formerly purchaſed of *Anna Petronella Byndloſs*, Widow.

An Act to reimburſe *Francis March*, Eſq; for Money which he has undertaken to pay, and ſhall pay for the Pariſh of St. *Thomas* in the Vale.

An Act to enable Truſtees to make Sale of certain Lands, Part of the Eſtate of *George Ivey*, late of the Pariſh of *Vere*, Eſq; deceaſed, for Payment of his Debts, and for providing for the Maintenance, Education, and Support of his eldeſt Daughter and young Children.

Publick Acts expired. Paſſed Anno 1710.

An Act for continuing an Act, intituled, " An Act to provide an additional Subſiſtence for her Ma- " jeſty's Officers and Soldiers, from the 1ſt of *May* 1709, to the 1ſt of *May* 1710; and from the " 1ſt of *May* 1710, to the 1ſt of *May* 1711.

An

An Act for appropriating the Sum of 5000*l.* for fitting out two Sloops or Brigantines, for the guarding the Sea Coaſts, and better Defence of this Iſland.
An Act for raiſing an additional Duty and Impoſt, and appropriating Money for ſeveral Uſes, from the 1ſt of *May* 1710, to the 1ſt of *May* 1711.
An Act for making Proviſion for the Maintenance of Priſoners of War for the Year 1711.
An Act for providing an additional Subſiſtence for her Majeſty's Officers and Soldiers, from the 1ſt of *May* 1711, until the 1ſt of *Auguſt* then next enſuing.

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An Act for appropriating the Sum of 5000*l.* for fitting out of two Sloops or Brigantines, for guarding the Sea Coaſts and Trade of this Iſland.
An Act to enable her Majeſty's Treaſury of this Iſland to ſupport and diſcharge its extraordinary Occaſions, by appropriating the Sum of 3000*l.* out of the Money ariſen, or to ariſe out of the additional Duty.
An Act declaring what Perſons ſhall be qualified to ſit in Aſſemblies.
An Act to appropriate ſeveral Sums of Money for the Maintenance of Priſoners of War, from the 1ſt of *May* 1711, to the 1ſt of *May* 1712; and to enable ſeveral Pariſhes, that have neglected to raiſe their Taxes, to raiſe the ſame.
An Act to prevent any Perſon from holding two or more Offices of Profit in this Iſland.
An Act to provide an additional Subſiſtence for her Majeſty's Officers and Soldiers, from the 1ſt of *Auguſt* 1711, to the 1ſt of *November* next enſuing.
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An Act for raiſing an additional Duty and Impoſt, and appropriating Money for ſeveral Uſes, from the 1ſt of *Auguſt* 1711, to the 1ſt of *November* next enſuing.
An Act to provide an additional Subſiſtence for her Majeſty's Officers and Soldiers, from the 1ſt of *November* 1711, to the 1ſt of *November* 1712.
An Act for raiſing an additional Duty and Impoſt, and appropriating Money for ſeveral Uſes, from the 1ſt of *November* 1711, to the 1ſt of *November* 1712; as alſo for the further enabling ſeveral Pariſhes of this Iſland to aſſeſs and levy Taxes appointed to be raiſed by former Acts of the Governor, Council, and Aſſembly of this Iſland; and for the Relief of the Pariſhes of St. *George* and St. *James*.
An Act for making Proviſion for Priſoners of War, from the 1ſt of *December* 1711, to the 1ſt of *December* 1712; and for paying Money for ſeveral Uſes.
An Act to diſenable any Member of the Council, or of the Aſſembly of this Iſland, from acting as Commiſſioner for receiving any Publick Money, raiſed or to be raiſed by the Governor, Council and Aſſembly of this Iſland; and to diſenable any ſuch Commiſſioner to be a Member of the Council, or of the preſent or any future Aſſembly of this Iſland.

Private Acts——1711.

An Act for veſting the Eſtate, real and perſonal, of *Thomas Finch*, late of the Pariſh of *Kingſton*, Eſq; in Truſtees, the better to enable his Securities to pay the Sum of 3800*l.* due from the ſaid *Thomas Finch*, a Commiſſioner, to the Publick of this Iſland.
An Act to appoint and enable Commiſſioners to ſell and diſpoſe of Part of the Eſtate of *William Burras*, late of the Pariſh of *Vere*, a Minor, deceaſed, for Payment of Legacies, and the Preſervation of the other Part of the ſaid Eſtate.

Publick Acts in Force. Paſſed Anno 1712.

An Act to encourage white Men to come and ſettle in this Iſland, —— 108
An Act for preſerving the publick Records of this Iſland, —— —— 111

Publick Acts expired——1712.

An Act to provide an additional Subſiſtence for her Majeſty's Officers and Soldiers, from the 1ſt of *November* 1712, to the 1ſt of *November* 1713, if the Regiment now here in Pay ſhall ſo long continue in this Iſland.
An Act for raiſing an additional Duty and Impoſt, from the 1ſt of *November* 1712, to the 1ſt of *November* 1713; and for appropriating Money for ſeveral Uſes; and alſo for the Relief of the Pariſhes of St. *George* and St. *James*.

Publick Act expired. Paſſed Anno 1713.

An Act to provide an additional Subſiſtence for her Majeſty's Officers and Soldiers, from the 1ſt of *November* 1713, to the 1ſt of *May* 1714, and no longer.

Publick

Publick Acts repealed or expired——1713-14.

An Act for the more effectual Relief of the Freeholders and Inhabitants of *Kingſton*.
An Act for aſcertaining the Number of Ports of Entry in this Iſland, and obliging Officers to keep Deputies at ſuch Ports; and to prevent all clandeſtine Trade.
An Act for diſcharging the Arrears due to her Majeſty's Officers and Soldiers for their additional Subſiſtence, from the 1ſt of *November* 1712, to the 1ſt of *November* 1713; and paying off all Sums of Money becoming due by virtue of the ſame.

Publick Act in Force. Paſſed Anno 1715.

An Act for the more eaſy ſerving of Conſtables, —— —— Page. 112

Publick Acts repealed. Paſſed Anno 1715.

An Act for the effectual Diſcovery of all Perſons that are diſaffected to his Majeſty and his Government, and to prevent all ſuch Perſons holding any Office.
An Act to prevent all fraudulent Trade to *Hiſpaniola*, and other foreign Parts.
An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, and to maintain ſuch as ſhall come over within a certain Time, or pay certain Sums of Money in caſe they ſhall be deficient; and applying the ſame to ſeveral Uſes.
An Act for repealing an Act, intituled, "An Act for the better ſecuring the Eſtates and Intereſt of "Orphans and Creditors; and to oblige Executors to give Security to return Appraiſements into "the Secretary's Office of this Iſland; and for obliging Executors to return Inventories; and for "ſecuring and improving the Eſtates of Orphans."
An Act to impoſe Duties on ſeveral Commodities, to defray the extraordinary Charge of the Government; and applying the ſame to ſeveral Uſes.
An Act for granting a Supply to his Majeſty, to enable the Treaſury to diſcharge its Debts, and to anſwer the other Exigencies of the Government.
An Act for granting further Relief in relation to proving Wills and Teſtaments, and granting Letters of Adminiſtration of inteſtate Eſtates.
An Act to ſecure the Freedom of Elections, and directing the Proceedings in the Choice of Members to ſerve in Aſſemblies of this Iſland.
An Act to prevent any one Man to hold and enjoy any two or more Offices of Profit in this Iſland.
An Act to encourage the bringing over and ſettling of white People in this Iſland.

Private Act——1716.

An Act to prevent Negroes being Evidence againſt *Dorothy*, the Wife, and *John*, *Thomas*, and *Francis*, Sons of *John Williams*, a free Negroe.

Publick Acts in Force. Paſſed Anno 1717.

An Act for Relief of Widows and Orphans, in relation to Deficiencies, —— 113
An Act for the more effectual puniſhing of Crimes committed by Slaves, —— 113
An Act for the repairing, preſerving, and maintaining the Wall of Port Royal, *being now made uſe of as Part of his Majeſty's Fortifications*, —— 116

Publick Act expired——1717.

An Act for continuing an Act to impoſe Duties on ſeveral Commodities, to defray the extraordinary Charge of the Government; and applying the ſame to ſeveral Uſes.

Publick Act in Force. Paſſed Anno 1718.

An Act for the Encouragement of voluntary Parties to ſuppreſs rebellious and run-away Negroes, —— —— —— —— 117

Publick Act expired——1718.

An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money in caſe they ſhall be deficient; and applying the ſame to ſeveral Uſes.

Publick Act in Force. Paſſed Anno 1719.

An Act to prevent the enticing or inveigling of Slaves from the Poſſeſſors; and for the preventing the Tranſportation of Slaves by Mortgagers and Tenants for Life and Years; and for regulating Abuſes committed by Slaves, —— 118

Publick Acts obſolete or expired——1719.

An Act for the more immediate Relief of Parties; and for transferring of Money for ſeveral Uſes.
An Act to impoſe Duties on ſeveral Commodities, to defray the extraordinary Charges of the Government, and applying the ſame to ſeveral Uſes.
An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money, in caſe they ſhall be deficient; and applying the ſame to ſeveral Uſes.
An Act to revive ſuch Parts of former Acts as relate to any Monies ſtill due to the Publick.
An Act for appropriating ſeveral Sums of Money to ſeveral Uſes.

Publick

Publick Acts expired.. Paſſed Anno 1720.

An Act for fitting out Sloops, or other Veſſels, for guarding the Sea Coaſt, and better Defence of this Iſland.

An Act to impoſe Duties on ſeveral Commodities, to defray the extraordinary Charges of the Government; and applying the ſame to ſeveral Uſes.

Publick Acts expired. Paſſed Anno 1720-21.

An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money, in caſe they ſhall be deficient; and applying the ſame to ſeveral Uſes.

An Act for Relief of ſuch Perſons as have ſuffered by Piracies and Robberies at Sea, or on the Shore, by any of his Majeſty's Subjects of this Iſland.

Publick Acts in Force. Paſſed Anno 1721.

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An Act to encourage the ſettling the North-eaſt Part of this Iſland, —— 121

An Act to impower the Pariſhioners of the Pariſh of Kingſton *to erect proper Buildings for a Court-houſe and Exchange, at the Charge of the Inhabitants of the ſaid Pariſh,* 125

An Act to ſuſpend a Clauſe in an Act, intituled, "An Act for aſcertaining, eſtabliſhing, and more ſpeedy collecting her Majeſty's Quit-rents;" and for the further Eaſe of the Inhabitants of this Iſland, and better diſcovering his Majeſty's Quit-rents, —— —— —— —— 126

An Act for the more eaſy obtaining of Partitions of Lands, Tenements, Negroes, and other Hereditaments, in joint Tenancy in common, and Co-parcenary, —— 127

Publick Acts expired——1721.

An Act to impoſe Duties on ſeveral Commodities, and applying the ſame to ſeveral Uſes.

An Act for collecting and gathering in the ſeveral out-ſtanding Debts of this Iſland.

An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money, in caſe they ſhall be deficient; and applying the ſame to ſeveral Uſes.

An Act for fitting out a Sloop, or other Veſſel, for guarding the Sea Coaſts, and better Defence of this Iſland.

Private Acts——1721.

An Act for veſting certain Lands, in the Pariſh of St. *Thomas* in the Vale, in Truſtees, for the Uſe of *George Reid*, Eſq; and his Heirs.

An Act to enable certain Truſtees to ſell the Eſtates and Intereſt of *William Bowles*, and *Charles Bowles*, his Son, (an Infant) for the Diſcharge and Payment of Debts, and purchaſing Lands in the Kingdom of *Great Britain* to certain Uſes.

Publick Act in Force. Paſſed Anno 1722.

An Act for eſtabliſhing a perpetual anniverſary Faſt on the 28th of Auguſt, —— 128

An Act for preventing the Frauds, and regulating the Abuſes in Trade, —— 129

An Act for laying out a Road from a Place called the Cave, *in the Pariſh of* Weſtmorland, *over the Mountains, to the North-eaſt Part of the ſame Pariſh, or the Weſt-end of St.* James's, *as the Commiſſioners ſhall think moſt convenient,* —— 130

An Act for ſettling the North-eaſt Part of the Iſland, —— —— 132

Publick Acts repealed or expired——1722.

An Act to impoſe Duties on ſeveral Commodities, and applying the ſame to ſeveral Uſes.

An Act for fitting out a Sloop, or other Veſſel, for guarding the Sea Coaſts, and better Defence of this Iſland.

An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money, in caſe they ſhall be deficient; and applying the ſame to ſeveral Uſes.

An Act to appropriate ſeveral Sums of Money to ſeveral Uſes.

An Act for repairing the Road leading from the *Bog-walk* Plantation, in the Pariſh of St. *Thomas* in the Vale, to the *Angel-river* in the Pariſh of St. *Catherine*.

An Act for encouraging the ſpeedy ſettling of the Plantation commonly called *Pero*, or *Pera* Plantation, ſituate at *Port Morant*, in the Pariſh of St. *Thomas* in the Eaſt, in this Iſland; and for obliging all Perſons, intitled to the Equity of Redemption thereof, to redeem the ſame by a prefixed Time.

An Act to augment the Salary of his Grace the Duke of *Portland*.

An Act for making his Majeſty's Revenue perpetual, and augmenting the ſame; and continuing and declaring what Laws are in Force in this Iſland.

An Act for the more effectual preventing of Frauds and Abuſes in collecting his Majeſty's Revenue.

Publick Acts in Force. Paſſed Anno 1723.

An Act for dividing the Pariſh of Weſtmorland *into two diſtinct Pariſhes, for the Eaſe of the Inhabitants,* —— —— —— 136

An Act for clearing Rio de Cobre, —— —— —— —— 137

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An Act for encouraging white People to come over and become Settlers in this Island, and for the more easy and speedy settling the North-east Part thereof, —— 139
An Act for the Ease of the Inhabitants of the Parish and Precinct of St. Elizabeth, 143

Publick Acts expired——1723.

An Act to oblige the several Inhabitants of this Island to provide themselves with a sufficient Number of white People, or pay certain Sums of Money, in case they shall be deficient; and applying the same to several Uses.

An Act for raising several Sums of Money, and altering the Duty upon Indigo to be imported; and for applying such Sums of Money to several Uses.

An Act for fitting out a Sloop, or other Vessel, for guarding the Sea Coasts, and better Defence of this Island.

An Act for granting an additional Revenue to his Majesty, his Heirs and Successors, for the better Support of the Government of this Island.

An Act for granting a Supply to his Majesty for several Uses.

An Act for the more effectual suppressing of rebellious and run-away Slaves, and for regulating Parties to be sent out for that Purpose.

Publick Acts in Force. Passed Anno 1724.

An Act for laying out a Road from a Place called the Cave, *in the Parish of* Westmoreland, *to the West-end of the Parish of St.* James, —— 143
An Act for building one or more Bridge or Bridges over Rio Cobre, *or at the* Bogwalk, *in the Parish of St.* Thomas *in the Vale; and repairing the Roads to* Sixteenmile-walk, —— —— —— —— 145
An Act for the more effectual Encouragement of the settling this Island, and securing the Sea Coasts thereof, —— —— —— 148

Publick Acts expired——1724.

An Act for reviving an Act, intituled, "An Act for raising a Revenue to her Majesty, her Heirs "and Successors, for the Support of the Government of this Island, and for maintaining and "repairing her Majesty's Forts and Fortifications; and all other Acts and Laws of *Jamaica* that "expired with the said Act on the first Day of *October*, in the Year of our Lord 1724."

An Act for granting an additional Revenue to his Majesty, his Heirs and Successors, for the better Support of the Government of this Island.

An Act to oblige the several Inhabitants of this Island to provide themselves with a sufficient Number of white People, or pay certain Sums of Money, in case they shall be deficient; and applying the same, and other Sums, to several Uses.

An Act for the more effectual and speedy collecting the several out-standing publick Debts of this Island.

An Act for raising several Sums of Money, and applying the same to several Uses.

Private Act——1724.

An Act for vesting the Equity of Redemption of certain Lands, in the Parish of St. *Thomas* in the Vale, late the Estate of Mr. *Thomas King*, deceased, in *Andrew Arcedeckne* and *Alexander Henderson*, Esqrs. and their Heirs; and for enabling them to sell and dispose of the said Lands, for the Payment of the said *Thomas King*'s Debts.

Publick Acts in Force. Passed Anno 1725.

An Act to inflict further and other Punishments on the Transgressors of two several Acts, the one intituled, "An Act for the better Order and Government of Slaves;" and the other intituled, "An Act to prevent the enticing or inveigling of Slaves from the "Possessors; and for the preventing the Transportation of Slaves by Mortgagers and "Tenants for Life or Years; and for regulating Abuses committed by Slaves," 149
An Act to prevent clandestine Trade, —— —— —— 150
An Explanatory Act, for the further encouraging the settling the Parish of Portland, 152

Publick Acts expired——1725.

An Act for raising several Sums of Money, and applying the same to the Use of Parties, and other Uses.

An Act for the more effectual suppressing rebellious and run-away Slaves, and for encouraging Parties to be sent out for that Purpose; as also for better securing the Settlements at *Plantain-garden River*, and other Out-parts of this Island.

An Act for the further Relief of the Inhabitants of *Port Royal*.

An Act for granting a Revenue to his Majesty, his Heirs and Successors, for the Support of the Government of this Island; and for reviving and perpetuating the Acts and Laws thereof, as they have been introduced and used.

An Act to enable the several Parishes in this Island to chuse Parish Officers, and lay Parish Taxes for the Year ensuing; and to prevent Disputes at Law concerning the registering of Deeds and Patents, and Bonds, given in the Secretary's Office since the first Day of *October* last.

An Act to prevent the Abuses committed by entertaining, concealing, or carrying off any of his Majesty's Soldiers or Sailors, or any white Servants or Slaves belonging to any of the Inhabitants of this Island.

An Act for reviving of Process.

An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money, in caſe they ſhall be deficient; and applying the ſame to ſeveral Uſes.

An Act to augment the Salary of his Grace the Duke of *Portland*, during his Reſidence in this Iſland, as Governor thereof.

Publick Act expired. Paſſed Anno 1726.

An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes.

Publick Acts in Force. Paſſed Anno 1728. Page.

An Act for granting a Revenue to his Majeſty, his Heirs and Succeſſors, for the Support of the Government of this Iſland; and for reviving and perpetuating the Acts and Laws thereof, —— —— —— —— 153

An Act for the better carrying on and ſecuring the new Settlements at Port Antonio, *in the Pariſh of* Portland, —— —— —— 161

An Act for the ſtrengthening and ſecuring this Iſland againſt any Attempts to be made by foreign Enemies, —— —— —— —— 163

Publick Acts expired——1728.

An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes.

An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money, in caſe they ſhall be deficient; and applying the ſame to ſeveral Uſes; and for repairing the Wall at *Port Royal.*

An Act for the reviving and continuing of Proceſs, and to prevent Diſputes at Law concerning the regiſtering of Deeds and Patents; and for confirming of Bonds taken in the Secretary's Office of this Iſland.

An Act to enable ſuch of the Pariſhes of this Iſland as have not already choſe their Pariſh Officers, nor laid their Pariſh Taxes, to do the ſame in prefixed Times, although the Times appointed for doing thereof be already elapſed.

An Act for raiſing a Tax by the Poll, and on Trade, and applying the ſame to ſeveral Uſes.

An Act for the more effectual and ſpeedy collecting of the ſeveral out-ſtanding publick Debts of this Iſland.

An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes.

An Act to enlarge the Time for the better raiſing and collecting a Tax by the Poll, and on Trade, in ſuch Pariſhes as have omitted doing the ſame within the Times limited by the former Act for that Purpoſe.

An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money, in caſe they ſhall be deficient; and applying the ſame to ſeveral Uſes; and for repairing the Wall at *Port Royal.*

An Act for the better ſecuring the Settlements in the moſt expoſed Pariſhes in this Iſland.

An Act to enlarge the Time for the better raiſing and collecting the Deficiency and Poll Tax in ſuch Pariſhes as have omitted doing the ſame, in the Times limited by the former Acts for that Purpoſe.

Publick Acts repealed or expired. Paſſed Anno 1729.

An Act to prevent Dangers that may ariſe from diſguiſed as well as declared Papiſts.

An Act for the more effectual collecting the out-ſtanding Publick Debts.

Publick Acts in Force. Paſſed Anno 1730.

An Act for veſting twenty Acres of Land in Lynch's Iſland *in the Crown,* —— 165

An Act for the better amending the Highways, —— —— 165

An Act for preſerving the Harbour of Port Antonio, *in the Pariſh of* Portland, 167

An Act for repealing an Act to prevent Dangers that may ariſe from diſguiſed as well as declared Papiſts, —— —— —— —— 168

An Act to prevent the ſelling of Gunpowder to rebellious or any other Negroes whatſoever, —— —— —— —— 168

Publick Acts expired or repealed——1730.

An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money, in caſe they ſhall be deficient; and applying the ſame to ſeveral Uſes; and for repairing the Wall at *Port Royal.*

An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes.

An Act for the better ſuppreſſing and reducing the rebellious and run-away Negroes.

An Act for the better regulating Slaves, and rendering free Negroes and Mullattoes more uſeful; and preventing Hawking and Pedling; and enlarging the Time for the Commiſſioners collecting the out-ſtanding Debts.

An Act for raiſing Parties for diſlodging and reducing the rebellious Slaves in the windward and other Parts of this Iſland.

An Act for raiſing Money, and applying the ſame to the Uſe of Parties, to be ſent out to diſlodge and reduce the rebellious Slaves in the windward and other Parts of this Iſland.

An Act for explaining an Act, intituled, "An Act for raiſing of Money, and applying the ſame to "the Uſe of Parties, to be ſent out to diſlodge and reduce the rebellious Slaves in the windward "and other Parts of this Iſland;" and giving further Time for the aſſeſſing, collecting, and paying in the Taxes therein mentioned.

An Act for keeping out the Parties under the Command of Capt. *Brooke* for a longer time.
An Act for the Encouragement of voluntary Parties, and, in Default of them, to raiſe and ſend out others, to ſuppreſs rebellious Negroes in the windward Parts of this Iſland.
An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes.
An Act for raiſing a Tax by the Poll, and on Trades, Offices and Rents, and applying the ſame to ſeveral Uſes.
An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money, in caſe they ſhall be deficient; and for laying a Duty upon Shipping, and applying the ſame to ſeveral Uſes.
An Act for the appropriating and applying Money for the Payment of the additional Subſiſtence of the Officers and Soldiers of the two Regiments arrived, and for other Uſes; and for aſcertaining the voluntary Rewards to be allowed them for the Services they perform; and to oblige ſuch Pariſhes as have not already made up their Accounts, and paid in their Arrears, to do the ſame in a prefixed Time.

Publick Act in Force. Paſſed Anno 1731.

An Act for rendering the Bath, in the Pariſh of St. Thomas *in the Eaſt, more ſerviceable,* —— —— —— —— 170
An Act for the further quieting Poſſeſſions, and regulating Surveys, —— 172
An Act for the better preſerving of the Records in the ſeveral Publick Offices of this Iſland, ſupplying and remedying Defects in ſeveral former Laws, for preventing fraudulent Deeds and Conveyances, and recording old Wills in a prefixed Time, —— 174

Publick Acts repealed or expired——1731.

An Act for rendering the two Regiments of Soldiers more ſerviceable, and providing an additional Subſiſtence for them for a longer time; and more ſpeedy Reduction of the rebellious Negroes.
An Act to continue Part of an Act, intituled, "An Act for the better ſuppreſſing and reducing the "rebellious and run-away Negroes," paſſed in the Month of *March*, in the Year of our Lord 1730, impowering ſuch Pariſhes as are omitted in the ſaid Act, to ſend Parties in like Manner and Proportion as the Pariſhes in the ſaid Act mentioned, to aſcertain the Pay of the ſaid Parties, and appointing other Commiſſioners; and for Payment of the ſeveral Votes of Credit, the Eaſe of the Inhabitants of *Carpenter's Mountains*, and other Purpoſes.
An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes; to impower the Receiver General to take up Money at Intereſt, and appoint a Committee to ſettle the Publick Accounts during the Continuance of this Act.
An Act for raiſing ſeveral Parties to reduce the rebellious Negroes in the North-eaſt Part of this Iſland.
An Act to prevent the Abuſes committed by entertaining, concealing, or carrying off any of his Majeſty's Soldiers, or any white Men or Women, Servants or Slaves, belonging to any of the Inhabitants of this Iſland, without Tickets; and for the better regulating Servants, and deciding Differences between Maſters and Servants.
An Act to repeal ſuch Part of an Act, intituled, "An Act for raiſing ſeveral Sums of Money, and "applying the ſame to ſeveral Uſes; to impower the Receiver General to take up Money at In-"tereſt, and appoint a Committee to ſettle the Publick Accounts during the Continuance of this "Act," as impoſes a Duty on the Importation of Convicts into this Iſland, and directs the Payment, Collection, or Recovery thereof.
An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money, in caſe they ſhall be deficient; and for laying a Duty upon Shipping, and applying the ſame to ſeveral Uſes.
An Act for paying the Officers and Soldiers who ſhall engage in the Country's Service, and go in Purſuit of the rebellious and run-away Slaves; and other Purpoſes.
An Act for appointing an Agent or Agents in *Great Britain*, to ſolicit the paſſing of Laws, and other the Publick Affairs of this Iſland; and impowering certain Members of the Council and Aſſembly, during the Intervals of Aſſembly, from time to time, as Occaſion ſhall be, to give Inſtructions for ſuch his Management.

Private Acts——1731.

An Act for veſting the real Eſtate late of *John Todd*, formerly of the Pariſh of St. *Andrew*, Planter, deceaſed, in Truſtees, for Performance of his Will; and rendering a Charity, by him intended, effectual.
An Act for veſting the real Eſtate late of *Elizabeth Doddington*, formerly of *Port Royal* in this Iſland, Widow, deceaſed, undiſpoſed of by her Executors and Truſtees, in the Church-wardens of *Port Royal*, and their Succeſſors, for Performance of her Will.
An Act to eſtabliſh, confirm, and ſecure the Right and Title of the Honourable *Edward Charleton*, Eſq; to three Parcels of Land in the Town of St. *Jago de la Vega*, in the Pariſh of St. *Catherine*.

Publick Act in Force. Paſſed Anno 1732.

An Act for keeping a nightly Watch in the Town of Kingſton; *and for the Prevention of Damages that may ariſe by Fire,* —— —— —— 177

Publick Acts expired——1732.

An Act for continuing Part of two ſeveral Acts *viz.* ſuch Part of an Act, intituled, "An Act for "the better ſuppreſſing and reducing the rebellious and run-away Negroes," paſſed in the Month of *March*, in the Year of our Lord 1730; and which was continued by one other Act, intituled, "An Act to continue Part of an Act, intituled, An Act for the better ſuppreſſing and reducing "the

" the rebellious and run-away Negroes; and impowering ſuch Pariſhes as are omitted in the ſaid " Act, to ſend Parties in like Manner and Proportion as the Pariſhes in the ſaid Act mentioned; " to aſcertain the Pay of the ſaid Parties, and appointing other Commiſſioners; and for Payment " of the ſeveral Votes of Credit, the Eaſe of the Inhabitants of *Carpenter's Mountains*, and other " Purpoſes, paſſed in *July* 1731; and for continuing ſuch Parts of the ſaid laſt mentioned Act as " in any wiſe relates to the fitting out and Payment of Parties, or the appointing of Commiſſioners " for that Purpoſe."

An Act for the better ſettling the Eaſt and North-eaſt Parts of this Iſland, explaining ſome Clauſes in ſeveral Acts relating thereto; and for making Satisfaction to *John Lawfence*, Eſq; for a Negroe loſt in the Country's Service.

An Act to prevent the landing or keeping of Negroes infected with the Small-pox, in any of the three Towns of St. *Catherine*, *Port Royal*, or *Kingſton*.

Private Act——1732.

An Act to enable Truſtees to ſell and diſpoſe of ſeveral Pieces and Parcels of Land in the Pariſh of *Weſtmoreland*, and other Pariſhes in this Iſland, late the Eſtate of *Thomas Tomlin*, Planter, deceaſed; and to apply the Monies ariſing thereby towards Payment and Satisfaction of a Mortgage given by him in his Life-time of a Plantation or Sugar-work in the ſaid Pariſh of *Weſtmoreland*, with the Slaves, Cattle, and Stock thereon, in order to preſerve the ſame from Sale, and improve it for the ſaid *Tomlin*'s Heir, a Minor of tender Years.

Publick Acts in Force. Paſſed Anno 1733. Page.

An Act to ſecure the Freedom of Elections, and directing the Proceedings in the Choice of Members to ſerve in Aſſemblies in this Iſland; to qualify Perſons elected to ſerve in future Aſſemblies in this Iſland; and to aſcertain who ſhall be deemed Mullattoes for the future, —— —— —— —— 179

An Act for ſecuring and collecting his Majeſty's Quit-rents, Fines, Forfeitures, and Amerciaments; and for regulating the Manner of Eſcheats; and for ſecuring the Poſſeſſors of Lands already forfeited and ſettled, and further Diſcovery of ſuch forfeited Lands, and encouraging the ſettling thereof, —— —— 181

An Act for running, cutting, and clearing the dividing Lines; and cutting of Roads in and between the Pariſhes of Weſtmoreland *and* Hanover; *and for repairing a Bridge over* Cabaritta *River, in the ſaid Pariſh of* Weſtmoreland, —— 184

An Act for dividing this Iſland into two Diviſions, to be for ever hereafter known and deſcribed by the Names of the Eaſtern *and* Weſtern Diviſions; *for erecting and building Barracks in the ſaid* Weſtern Diviſion; *cutting and clearing Roads therein; and for raiſing and fitting out Parties, for the more ſpeedy and effectual ſuppreſſing the rebellious and run-away Negroes,* —— —— —— 185

An Act for cutting a Road from the Breaſt-work, and building a defenſible Houſe at or near the Place where Capt. De la Milliere *was ambuſhed; and for prohibiting the retailing of Rum at* Titchfield, —— —— —— 193

An Act to prevent the making, throwing, or firing off Squibs, Serpents, Rockets, and other Fire-works, —— —— —— 195

Publick Acts expired or repealed——1733.

An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money in caſe they ſhall be deficient; and applying the ſame to ſeveral Uſes.

An Act for the ſpeedy fitting out of a Party or Parties, to ſuppreſs the rebellious and run-away Slaves in the North-eaſt Part of this Iſland.

An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes; for ſubſiſting the Officers and Soldiers of the two Independent Companies; preventing the Exportation of ſeveral Commodities into the *French* and *Spaniſh* Iſlands; and ſubjecting the Party-men to the Rules and Articles of War in Force in this Iſland, in the Time of the laſt Martial Law.

An Act for the Eaſe of the Inhabitants of the Pariſh of St. *James*.

An Act for the more ſpeedy and effectual collecting the Publick and Parochial out-ſtanding Debts.

An Act to repeal Part of an Act, intituled, " An Act to oblige the ſeveral Inhabitants of this Iſland " to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Mo- " ney, in caſe they ſhall be deficient; and applying the ſame to ſeveral Uſes," paſſed in *April* laſt; and to oblige Tavern-keepers and Retailers of Rum, Sugar, Rum-punch, and Billiard-table Keepers, to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money, in caſe they ſhall be deficient, in full Lieu and Satisfaction of the ſeveral Taxes impoſed upon them reſpectively by the ſaid Act.

An Act for leſſening the *Quorum* appointed by an Act, intituled, " An Act for the more ſpeedy and " effectual collecting the Publick and Parochial out-ſtanding Debts; enlarging the Time for finiſh- " ing and compleating the Publick Accounts; and to enable ſuch Pariſhes to lay, aſſeſs, and to " pay over the ſeveral Taxes impoſed on them by any Laws, as have hitherto omitted to do the " ſame."

An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money, in caſe they ſhall be deficient; and applying the ſame to ſeveral Uſes.

An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes; for ſubſiſting the Officers and Soldiers of the two Independent Companies; and preventing the Exportation of ſeveral Commodities into the *French* and *Spaniſh* Iſlands.

An Act for raiſing of Money, and applying the ſame to the Uſe of Parties to be ſent out to reduce the rebellious Negroes.

An Act for appointing *John Sharpe*, of the *Middle Temple*, Eſq; Agent in *Great Britain*, to ſolicit the paſſing of Laws, and other publick Affairs of this Iſland; and impowering certain Members of the Council and Aſſembly, during the Intervals of Aſſembly, from time to time, as Occaſion ſhall be, to give Inſtructions for ſuch his Management.

An Act for the Relief of ſuch Perſons as have been over-aſſeſſed, or wrongfully charged in the Arrearage Rolls, iſſued by virtue of an Act, intituled, "An Act for the more ſpeedy and effectual "collecting the Publick and Parochial out-ſtanding Debts, and for ſuſpending the Execution of "the ſaid Act for a certain Time."

An Act for cutting of Roads, and building of Barracks in the Eaſtern Diviſion of this Iſland; and for raiſing and fitting out of Parties, for the more ſpeedy and effectual ſuppreſſing the rebellious and run-away Negroes.

Private Acts——1733.

An Act for the Manumiſſion of the Wife and Children of a free Negroe-man, *Sambo*, and of other Negroes; and for recompenſing their reſpective Owners.

An Act to intitle *John Golding*, ſenior, of the Pariſh of *Vere*, Planter, and his Family, to the Rights and Privileges of *Engliſhmen*, born of white Anceſtors.

An Act to eſtabliſh, confirm, and ſecure the Right and Title of *John Stewart*, Eſq; to a Houſe in the Town of St. *Jago de la Vega*, in the Pariſh of St. *Catherine*, commonly called the *Fort-houſe*, with certain Lands thereunto belonging and adjoining.

An Act for the Encouragement of *Hugh King*, of the Pariſh of *Weſtmoreland*, in the Iſland of *Jamaica*, aforeſaid, Millwright.

Publick Act in Force. Paſſed Anno 1734.

Page.
An Act to veſt Lands in Port Royal *in his Majeſty, his Heirs and Succeſſors, for the Uſe of his Ships of War*, —— —— —— 196

Publick Acts expired——1734.

An Act for the further Encouragement of Parties, and more ſpeedy Reduction of rebellious and run-away Slaves.

An Act for the more ſpeedy cutting of Roads, and building Barracks in the Eaſtern Diviſion; and for the Reception of the Troops expected.

An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes; and for ſubſiſting the Officers and Soldiers of the ſix Independent Companies expected.

An Act for appointing and placing a proper Guard or Guards in the Weſtern Diviſion of this Iſland, in order to ſecure and protect the remote and expoſed Settlements thereof.

An Act for putting this Iſland under Martial Law for any Time not exceeding ſix Months; for impowering the Civil Magiſtrates, and other Officers of the reſpective Pariſhes in this Iſland, during the Time of Martial Law, to levy, aſſeſs, and collect, as well all Publick Debts as Parochial Taxes, for keeping the Highways in Repair; impowering the Receiver General to borrow Money at Intereſt; and for obliging the Provoſt Marſhal to ſell Slaves, and other Effects now in his Cuſtody, in a prefixed Time.

An Act to explain ſome Part of an Act, intituled, "An Act for putting this Iſland under Martial "Law, for any Time not exceeding ſix Months; for impowering the Civil Magiſtrates, and other "Officers of the reſpective Pariſhes in this Iſland, during the Time of Martial Law, to levy, aſſeſs, "and collect, as well all Publick Debts as Parochial Taxes, for keeping the Highways in Repair; "impowering the Receiver General to borrow Money at Intereſt; and for obliging the Provoſt "Marſhal to ſell Slaves, and other Effects now in his Cuſtody, in a prefixed Time," paſſed in this Seſſion of Aſſembly.

An Act for the Encouragement of good and able Men to march from the Barracks againſt the rebellious Negroes, during Martial Law; and for making Satisfaction to ſuch Perſons as may loſe any Slaves in any Engagement or March after the rebellious Negroes; and for providing for the Sick and Wounded.

An Act to oblige *Jaſper Aſhworth*, Eſq; late Commiſſary, to account; and for removing him from his Place of Commiſſary.

Private Act——1734.

An Act for enabling *Elizabeth Hall*, of the Pariſh of St. *Andrew*, Widow, Executrix of the laſt Will and Teſtament of *James Hall*, late of the ſaid Pariſh, Eſq; deceaſed, to ſell and diſpoſe of a certain Parcel of Land in the ſaid Pariſh, lately belonging to him the ſaid *James Hall*, for the Payment of his Debts.

Publick Acts in Force. Paſſed Anno 1735.

An Act for the more effectual directing the Marſhal's Proceedings, and regulating thereof, 197
An Act to prevent Hawking and Pedling, and diſpoſing of Goods clandeſtinely, —— 201

Publick Acts expired——1735.

An Act for impoſing a Duty on all Rum, and other Spirits and ſtrong Waters, retailed in this Iſland; and for applying the ſame to ſeveral Uſes.

An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes; for ſubſiſting the Officers and Soldiers of the eight Independent Companies; and preventing the Exportation of ſeveral Commodities into the *French* and *Spaniſh* Iſlands.

An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money, in caſe they ſhall be deficient; and applying the ſame to ſeveral Uſes.

An Act for putting this Iſland under Martial Law, for any Time not exceeding three Months; for impowering the Civil Magiſtrates, and other Officers of the reſpective Pariſhes in this Iſland, during the Time of Martial Law, to levy, aſſeſs, and collect, as well Publick Debts as Parochial Taxes, for keeping the Highways in Repair; impowering the Receiver General to borrow Money at Intereſt; and for obliging the Provoſt Marſhal to ſell Slaves, and other Effects now in his Cuſtody, in a prefixed Time.

An Act for the more effectual collecting the ſeveral Debts due on Account of Deficiency and Poll Taxes, and all other Publick and Parochial Debts.

An Act for the better ſettling and ſecuring the Iſland, and veſting ſeveral Parcels of Land in the Crown; and for building of Barracks; and fitting out of Parties for the reducing the rebellious Negroes; and cutting of Roads.

An Act for enlarging, widening, and repairing the Road to *Sixteen-mile Walk*.

Private Act——1735.

An Act for enabling *Mary Howell*, of the Pariſh of St. *Catherine*, in the ſaid Iſland, Widow, Executrix of the laſt Will and Teſtament of *Samuel Howell*, late of the ſame Pariſh, Planter, deceaſed, to ſell and diſpoſe of divers Meſſuages, Lands, Tenements, Slaves, and perſonal Eſtate, late belonging to him the ſaid *Samuel Howell*, for the Payment of his Debts.

Publick Acts in Force. Paſſed Anno 1736.

An Act for introducing of white People into this Iſland; for ſubſiſting them for a certain Time, and providing them with Land, that they may become Settlers, —— 202
An Act to prevent the malicious burning of Houſes and Plantations, —— 205
An Act to explain and enforce the laſt Will and Teſtament of John Wolmer, *late of* Kingſton, *Goldſmith, deceaſed, and rendering his Donations to the ſaid Town more uſeful; and for erecting and eſtabliſhing a Free-ſchool in the ſaid Town,* —— 205
An Act for impowering William Pete *to keep the Ferry; and erect a Tollgate or Turnpike between* St. Catherine's *and* St. Andrew's; *and taking up run-away Negroes,* 208
An Act to prevent the Abuſes committed by entertaining, concealing, or carrying off any of his Majeſty's Soldiers, any white Men or Women, Servants or Slaves, belonging to any of the Inhabitants of this Iſland, without Tickets; and for the better regulating Servants, and deciding Differences between Maſters and Servants, —— 210
An Act for regulating of Pilots, —— —— —— 212
An Act to explain an Act, intituled, "An Act for regulating of Pilots," paſſed in November 1736, —— —— —— 214

Publick Acts repealed or expired——1736.

An Act for appointing *John Sharpe*, of the *Middle Temple, London*, Eſq; Agent in *Great Britain*, to ſolicit the paſſing of Laws, and other the Publick Affairs of this Iſland; and impowering certain Members of the Council and Aſſembly, during the Intervals of Aſſembly, from time to time, as Occaſion ſhall be, to give Inſtructions for ſuch his Management.

An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes; for ſubſiſting the Officers and Soldiers of the eight Independent Companies; and preventing the Exportation of ſeveral Commodities into the *French* and *Spaniſh* Iſlands.

An Act for the Eaſe and Relief of the Inhabitants of this Iſland, in building Barracks; and remedying and ſupplying ſome Defects and Omiſſions in the late Barracking Law.

An Act for impoſing a Duty on all Rum, and other Spirits and Strong-waters, retailed in this Iſland; and for applying the ſame to ſeveral Uſes; and appointing Commiſſioners for ſettling the publick Accounts.

An Act for repealing an Act, intituled, "An Act for the Eaſe of the Inhabitants of the Pariſh of "St. *James*;" and appointing the Place for holding the Courts of Quarter-ſeſſions, Common-pleas, and other publick Buſineſs of the Pariſh.

An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes; for ſubſiſting the Officers and Soldiers of the eight Independent Companies; and preventing the Exportation of ſeveral Commodities into the *French* and *Spaniſh* Iſlands.

An Act for impoſing a Duty on all Rum, and other Spirits or Strong-waters, retailed in this Iſland; and on all Wines and foreign Spirits; and applying the ſame to ſeveral Uſes; and appointing Commiſſioners for ſettling the Publick Accounts.

An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money, in caſe they ſhall be deficient; and applying the ſame to ſeveral Uſes.

Private Acts——1736.

An Act to confirm the Sale of a Houſe in the Town of St. *Jago de la Vega*, in the Pariſh of St. *Catherine*, commonly called the *Fort-houſe*, with certain Lands thereunto belonging and adjoining; and confirming and ſecuring the Title of the preſent Owner under ſuch Sale.

An

An Act to enable *David Jones*, a Minor, under the Age of 21 Years, to wit, of the Age of 19 Years and upwards, only Son and Heir, and alſo reſiduary Deviſee of the Real and Perſonal Eſtate of *Griffith Jones*, late of the Pariſh of St. *John*, Planter, deceaſed, and *Robert Kilbies*, late of the Pariſh of St. *Dorothy*, Eſq; Guardian of the Body and Eſtate of the ſaid *David Jones*, or either of them, to ſell the Moiety or half Part of 1000 Acres of Land, of him the ſaid *David Jones*, at *Plantain-garden River*, in the Pariſh of St. *Thomas* in the Eaſt, with his Right and Title therein, or to the Plantation thereon ſettled, called *Golden Grove*, and Houſes thereon, for Payment of the Debts affecting the ſame, and of other Debts of the ſaid *David Jones*, and of the Legacies left by the ſaid *Griffith Jones* to his younger Children, and others.

An Act for the Encouragement of Major *Thomas Sainthill*, in his Projections of making of Cattle or Horſe-Mills; and for hanging of Coppers, and cleanſing of Cane Liquor.

Publick Acts in Force. Paſſed Anno 1737. Page.

An Act to enable the Inhabitants of the Pariſh of St. Anne *to build a Barrack at or near the Head of* Rio Bueno, *which divides the Pariſh of St.* Anne *from the Pariſh of St.* James; *and to exempt them from their further contributing to the building any other Barrack; and for paying the Officers of the Barrack at the* Little Meneague, 215

An Act for the better preſerving the Publick Records of this Iſland, —— 216

An Act for effectually ſettling the Pariſh of Portland, *by veſting all the unſettled Lands in the ſaid Pariſh in the Crown,* —— —— 218

Publick Act expired——1737.

An Act to enable the Conſtables of the ſeveral Pariſhes in this Iſland to make Diſtreſs as uſual, in collecting and receiving the Deficiency Tax, from the 28th of *March* 1737, to the 28th of *March* 1738; and impowering the Church-wardens and Conſtables of the ſaid Pariſhes to receive and retain their ſeveral Commiſſions on the ſaid Tax as uſual.

Publick Acts in Force. Paſſed Anno 1738.

An Act for perpetuating ſuch Parts of the late Barracking Law as veſted ſeveral Parcels of Land in the Crown, and confirming the Titles of ſuch Perſons as have had Grants of any ſuch Lands purſuant to the ſaid Laws, and for directing Surveys to be made of ſeveral Parcels of the ſaid Lands, —— —— —— 222

An Act for erecting, eſtabliſhing, and regulating a Free-ſchool in the Pariſh of Weſtmoreland, *in the ſaid Iſland; and enforcing the laſt Will and Teſtament of* Thomas Manning, *deceaſed,* —— —— —— 224

Publick Acts expired——1738.

An Act for rendering free Negroes, Mullattoes, and Indians more uſeful, and forming ſome of them into Companies, with proper Encouragement to purſue and deſtroy the rebellious Negroes.

An Act for enabling the Inhabitants of the Pariſh of *Weſtmoreland* to maintain another Miniſter, during the Indiſpoſition of Mind of the Rev. *John Dickſon*, the preſent Rector of the ſaid Pariſh.

An Act to augment the Salary of his Excellency *Edward Trelawney*, Eſq;

Private Acts——1738.

An Act to intitle *Suſanna Augier*, a Mullatto Woman, of the Pariſh of *Kingſton*, and *Mary Augier* and *Frances Augier*, two of the Children of the ſaid *Suſanna Augier*, to the ſame Rights and Privileges with *Engliſh* Subjects born of white Parents.

An Act to intitle *Anne Dufreſnay*, a free Mullatto Woman, the Wife of *Samuel Dufreſnay*, to the ſame Rights and Privileges with *Engliſh* Subjects born of white Parents.

Publick Acts in Force. Paſſed Anno 1739.

An Act for the reducing the Intereſt of Money on all future Contracts, and for the advancing the Credit of Bills of Exchange, —— —— 227

An Act for confirming the Articles executed by Colonel John Guthrie, *Lieutenant* Francis Sadler, *and* Cudjoe, *the Commander of the Rebels; for paying Rewards for taking up and reſtoring run-away Slaves, and making Proviſion for four white Perſons reſiding, or to reſide, at* Trelawney Town; *and for granting Freedom to five Negroes who were Guides to Parties,* —— —— 228

An Act for uniting thoſe Parts of Carpenter's Mountains, *heretofore eſteemed Part of the Pariſhes of St.* Elizabeth *and* Clarendon, *to the Pariſh of* Vere, —— 232

An Act for the better ſecuring and collecting his Majeſty's Fines, Forfeitures, and Amerciaments, —— —— —— —— 233

An Act for veſting a Number of Negroes in the Crown, for the Uſe of the Barracks, and cutting and clearing of Roads; and for exempting the Pariſh of Vere *from joining with the Pariſh of* Clarendon, *in building and repairing the* Cave-river *Barrack,* 233

Publick Acts expired——1739.

An Act for laying a Duty on all Wines and ſpirituous Liquors retailed in this Iſland, and applying the ſame to ſeveral Uſes; and appointing Commiſſioners for ſettling the Publick Accounts.

An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes; for ſubſiſting the Officers and Soldiers of the eight Independent Companies; and preventing the Exportation of ſeveral

several Commodities into the *French* and *Spaniſh* Iſlands; and for preventing ſeveral Frauds committed by Perſons trading to and from the Northern Colonies.

An Act for appointing *John Sharpe*, of the *Middle Temple*, *London*, Eſq; Agent in *Great Britain*, to ſolicit the paſſing of Laws, and other the publick Affairs of this Iſland; and impowering certain Members of the Council and Aſſembly, during the Intervals of Aſſembly, from time to time, as Occaſion ſhall be, to give Inſtructions for ſuch his Management.

An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white Men, capable of bearing Arms, or pay certain Sums of Money, in caſe they ſhall be deficient; and applying the ſame, and other Funds, and the Surpluſage of Funds, already not appropriated, to ſeveral Uſes.

An Act to explain Part of an Act, to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white Men, capable of bearing Arms, or pay certain Sums of Money, in caſe they ſhall be deficient; and applying the ſame, and other Funds, and the Surpluſage of Funds not already appropriated, to ſeveral Uſes; paſſed this Houſe this Seſſions of Aſſembly.

Private Acts——1739.

An Act to intitle *Jane Stone*, a free Mullatto Woman, and her four Children, *Thomas*, *Hugh*, *Kirk*, *Barnet Stone*, *Elizabeth* the Wife of *John Bartibo*, *James Stone* the younger, and *Anne Stone*; and *William Stone*, a free Mullatto Man, and his Son *John Stone*; and *Richard Stone*, a free Mullatto Man, and his three Sons, *William*, *Richard*, and *John Stone*; and his two Daughters, *Rebecca* and *Elizabeth Stone*; to the ſame Rights and Privileges with *Engliſh* Subjects born of white Parents.

An Act to intitle *William Cunningham* the Younger, a free Mullatto, the reputed Son of *William Cunningham* the Elder, of the Pariſh of *Weſtmoreland*, in the ſaid Iſland, Eſq; by a free Negroe Woman, to the ſame Rights and Privileges with *Engliſh* Subjects born of white Parents.

An Act to diſſolve the Marriage of *Edward Manning*, Eſq; with *Elizabeth Moore*, and to enable him to marry again.

Publick Acts in Force. Paſſed Anno 1740. Page.

An Act to repeal Part of an Act, intituled, "An Act for the more effectual Puniſhment of Crimes committed by Slaves;" and to oblige the ſeveral Pariſhes to pay for all Negroes executed in each reſpective Pariſh, —— —— 237

An Act to explain an Act, intituled, "An Act for ſecuring and collecting his Majeſty's Quit-rents, Fines, Forfeitures, and Amerciaments; and for regulating the Manner of Eſcheats, and for ſecuring the Poſſeſſors of Lands already forfeited and ſettled, and further Diſcovery of ſuch forfeited Lands, and encouraging the ſettling thereof, —— —— —— —— 238

An Act for confirming the Articles executed by Colonel Robert Bennet *and* Quao, *the Commander of the Rebels; for paying Rewards for taking up and reſtoring run-away Slaves, and making Proviſion for four white Perſons to reſide at* Crawford Town *and* New Nanny Town; *and for granting Freedom to two Negroes, who were Guides to Colonel* Bennet, —— —— —— —— 239

An Act for preventiug of Frauds and Breaches of Truſt by Attornies or Agents of Perſons abſent from this Iſland, and by Truſtees, Guardians, Executors and Adminiſtrators, acting for and on the Behalf of Minors and others, and by Mortgagees in Poſſeſſion of Eſtates mortgaged, and Sequeſtrators appointed by Authority of the Court of Chancery, —— —— —— —— —— 242

An Act for rendering the ſeveral Donations, which have been given and bequeathed to the Uſe of the Poor of the Pariſh of Vere, *in the ſaid Iſland, more uſeful; and for erecting and endowing a Free-ſchool in the ſaid Pariſh,* —— —— 243

An Act to veſt certain Lands in the Pariſh of St. Andrew *in his Majeſty, his Heirs and Succeſſors, for erecting and building an Hoſpital, and other Neceſſaries and Conveniences for the Reception and Accommodation of maimed, ſick, and infirm Sailors, and others belonging, or that ſhall belong, to his Majeſty's Navy,* —— 246

Publick Acts expired——1740.

An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes; for ſubſiſting the Officers and Soldiers of the eight Independent Companies, and preventing the Exportation of ſeveral Commodities into the *French* and *Spaniſh* Iſlands, and for preventing ſeveral Frauds committed by Perſons trading to and from the Northern Colonies.

An Act for laying a Duty on all Wines and ſpirituous Liquors retailed in this Iſland, and applying the ſame to ſeveral Uſes; and appointing Commiſſioners for ſettling the Publick Accounts.

An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white Men, capable of bearing Arms, or pay certain Sums of Money, in caſe they ſhall be deficient; and applying the ſame to ſeveral Uſes.

An Act for raiſing a Tax by the Poll, and on Trades, Supercargoes and Maſters of Veſſels in the Outports, and on Offices, Rents, and Salaries of Overſeers, and applying the ſame to ſeveral Uſes.

An Act to explain and amend the Militia Act.

An Act for appropriating the Surpluſage of ſeveral Funds, raiſed for this preſent Year, in diſcharge of ſeveral Publick Engagements.

An Act for enlarging, widening, and repairing the Road from *Spring-garden*, in the Pariſh of St. *Dorothy*, to Capt. *Thomas Fuller*'s Plantation at *Luidas*, in the Pariſh of St. *John*.

Publick Acts in Force. Paſſed Anno 1741.

Page.

An Act to veſt certain Lands on Port Royal *in his Majeſty, his Heirs and Succeſſors, for the enlarging and making more commodious the Careening Wharf and Yard already erected there for the Uſe of his Majeſty's Ships of War,* —— 248

An Act to impower Commiſſioners to take Affidavits in the ſeveral Pariſhes, to be made Uſe of in the Grand Court, —— —— —— 249

An Act for recovering and extending the Trade with the Indian Settlements in America, *and preventing for the future ſome evil Practices formerly committed in that Trade,* 250

An Act to encourage Colonel Cudjo *and Captain* Quaw, *and the ſeveral Negroes under their Command in* Trelawney *and* Crawford Towns, *and all other Towns of rebellious Negroes who ſubmitted to Terms, to purſue and take up run-away Slaves, and ſuch Negroes as continue in Rebellion, and for remedying ſome Inconveniences in the Laws already made for that Purpoſe,* —— —— 251

Publick Acts repealed or expired——1741.

An Act for laying a Duty on all Wines and ſpirituous Liquors retailed in this Iſland, and applying the ſame to ſeveral Uſes; and appointing Commiſſioners for ſettling the Publick Accounts.

An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white Men, capable of bearing Arms, or white Women, or pay certain Sums of Money, in caſe they ſhall be deficient; and applying the ſame to ſeveral Uſes.

An Act for limiting the Duration of future Aſſemblies.

An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes; for ſubſiſting the Officers and Soldiers of the eight Independent Companies for ſix Months; and preventing the Exportation of ſeveral Commodities into the *French*, *Dutch*, and *Spaniſh* Iſlands; and for preventing ſeveral Frauds committed by Perſons trading to and from the Northern Colonies.

An Act for eſtabliſhing Commiſſioners for ſettling the Publick Accounts, and better collecting the Publick Debts and Taxes, and applying the ſame for diſcharging the Publick Engagements.

An Act for raiſing a certain Number of Negroes for the immediate Service of his Majeſty.

An Act for continuing and declaring in Force ſuch Parts and Clauſes of an Act, intituled, "An Act "for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes; for ſubſiſting the "Officers and Soldiers of the eight Independent Companies for ſix Months; and preventing the "Exportation of ſeveral Commodities into the *French*, *Dutch*, and *Spaniſh* Iſlands; and for pre-"venting ſeveral Frauds committed by Perſons trading to and from the Northern Colonies," as relate to the additional Subſiſtence of the Officers, Surgeons, and Soldiers of the eight Independent Companies in this Iſland, for ſix Months, from the firſt Day of *November* next; and for appropriating a Fund or Funds for the aforeſaid Purpoſe.

Private Act——1741.

An Act to intitle *William Gregory*, of the Pariſh of *Kingſton*, Carpenter, a free Mullatto Man, and *Sarah* his Wife, a free Woman, and their Son *Thomas Gregory*, and five Daughters, all free Mullattoes, named *Lucca*, the Wife of *William Wyllys*, of the Pariſh of *Kingſton* aforeſaid, Bookkeeper, and *Elizabeth*, *Sarah*, *Mary*, and *Frances Gregory*, to the ſame Rights and Privileges with *Engliſh* Subjects born of white Parents.

Publick Act in Force. Paſſed Anno 1742.

An Act for the more effectually preventing, and further Puniſhment of Forgery, —— 252

Publick Acts expired——1742.

An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes; for ſubſiſting the Officers and Soldiers of the eight Independent Companies for twelve Months; and preventing the Exportation of ſeveral Commodities into the *French*, *Dutch*, and *Spaniſh* Iſlands; and for preventing ſeveral Frauds committed by Perſons trading to and from the Northern Colonies.

An Act for laying a Duty on all Wines and ſpirituous Liquors retailed in this Iſland, and applying the ſame to ſeveral Uſes; and appointing Commiſſioners for ſettling the Publick Accounts.

An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white Men, capable of bearing Arms, or white Women, or pay certain Sums of Money, in caſe they ſhall be deficient, and applying the ſame to ſeveral Uſes; and for preventing ſeveral Abuſes committed by Perſons, under Colour of an Act of this Iſland, intituled, "An Act for introducing "white People into this Iſland, for ſubſiſting them for a certain Time, and providing them with "Land, that they may become Settlers."

An Act for applying a further Sum of 1500 *l.* to the Account of his Majeſty's Forts and Fortifications.

An Act for appointing *John Sharpe*, of the *Middle Temple*, *London*, Eſq; Agent in *Great Britain*, to ſolicit the paſſing of Laws, and other the publick Affairs of this Iſland; and impowering certain Members of the Council and Aſſembly, during the Intervals of Aſſembly, from time to time, as Occaſion ſhall be, to give Inſtructions for ſuch his Management.

Private Acts——1742.

An Act to intitle *Anne Fletcher*, a Mullatto Woman, of the Pariſh of St. *Catherine*, and *James Fletcher*, and *Fletcher Jones*, two of the Children of the ſaid *Anne*, to the ſame Rights and Privileges with *Engliſh* Subjects born of white Parents.

An Act to enable Truſtees to ſell and diſpoſe of ſeveral Parcels of Land in this Iſland, late Part of the Eſtate of *John Moore*, late of the Pariſh of *Weſtmoreland*, in the ſaid Iſland, Eſq; deceaſed, and to apply the Monies thereby ariſing in Payment of a Mortgage by him, in his Life time, executed; and other Debts, according to and for the Performance of his Will.

Publick Act in Force. Paſſed Anno 1743. Page.

An Act for enlarging the Time for proving or acknowledging, and recording or enrolling Deeds and Conveyances, made and executed out of this Iſland, —— 253

Publick Acts expired——1743.

An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes; for ſubſiſting the Officers and Soldiers of the eight Independent Companies for twelve Months; and preventing the Exportation of ſeveral Commodities into the *French*, *Dutch*, and *Spaniſh* Iſlands; and for preventing ſeveral Frauds committed by Perſons trading to and from the Northern Colonies.

An Act for laying a Duty on all Wines and ſpirituous Liquors retailed in this Iſland, and applying the ſame to ſeveral Uſes.

An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white Men, capable of bearing Arms, or white Women, or pay certain Sums of Money, in caſe they ſhall be deficient, and applying the ſame to ſeveral Uſes; and for preventing ſeveral Abuſes committed by Perſons under Colour of an Act of this Iſland, intituled, "An Act for introducing "white People into this Iſland, for ſubſiſting them for a certain Time, and providing them with "Land, that they may become Settlers."

An Act for appointing *John Sharpe*, of the *Middle Temple*, Eſq; Agent in *Great Britain*, to ſolicit the paſſing of Laws, and other the publick Affairs of this Iſland; and impowering certain Members of the Council and Aſſembly, during the Intervals of Aſſembly, from time to time, as Occaſion ſhall be, to give Inſtructions for ſuch his Management.

An Act for eſtabliſhing Commiſſioners for ſettling the Publick Accounts, and better collecting the Publick Debts and Taxes, and applying the ſame for diſcharging the Publick Engagements.

An Act for giving the ſame Allowance to New-comers, who ſhall take up and ſettle Lands within the Pariſh of *Portland*, as thoſe New-comers are intitled to, who have taken up Lands at or near *Norman's Valley*, or at or near *Manchioneal Harbour*, by virtue of an Act, intituled, "An Act "for introducing white People into this Iſland, for ſubſiſting them for a certain Time, and pro- "viding them with Land, that they may become Settlers."

An Act for appropriating the Sum of 10,000 *l.* to the Uſe of the Forts and Fortifications, and for laying a Duty on the Tonnage of Shipping for the Uſe thereof; and for appointing Commiſſioners for ordering and inſpecting the Works to be performed in and about the ſame.

An Act to inflict further and other Puniſhments on run-away Slaves, and ſuch as ſhall entertain them.

Publick Acts in Force. Paſſed Anno 1744.

An Act for the effectual preventing of Gaming and Suppreſſion of Lotteries, —— 254

An Act for erecting a Houſe or Edifice for the Uſe of the Council and Aſſembly, and for the better preſerving the Publick Records, and for the Reception of the Small Arms, 257

An Act for veſting the Sum of One thouſand Pounds, deviſed by the laſt Will and Teſtament of Peter Beckford, *Eſq; deceaſed, to the Poor of the Pariſh of* St. Catherine, *in a Free-ſchool in the Town of* St. Jago de la Vega, *and for erecting a Corporation for the better Government thereof,* —— —— —— 258

An Act for adding Commiſſioners to thoſe already appointed, to inſpect the Buildings that are to be erected at the Bath in the Pariſh of St. Thomas *in the Eaſt,* —— 261

An Act for making and opening a Road, fit for Wheel-Carriages, from the Pariſh of St. Anne *to the Pariſh of* St. Thomas *in the Vale; and for impowering other Truſtees to execute ſo much of the Truſts as remain unexecuted by or under an Act, intituled, "An Act for veſting the Eſtates, real and perſonal, of* Thomas Finch, *late of the "Pariſh of* Kingſton, *Eſq; in Truſtees, the better to enable his Securities to pay the "Sum of Three thouſand and Eight hundred Pounds, due from the ſaid* Thomas "Finch, *as Commiſſioner, to the Publick of this Iſland,* —— 262

An Act to explain and amend an Act, intituled, "An Act for the better Order and Go- "vernment of Slaves;" and for making free and rewarding a Negroe named Hector, *belonging to* Thomas Fuller, *Eſq; and paying his ſaid Maſter the Value of ſaid Negroe,* —— —— —— —— 263

An Act to regulate the ſelling of Gunpowder, and to prevent the ſelling of Fire-Arms to Slaves, —— —— —— —— 265

Publick Acts expired——1744.

An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes; for ſubſiſting the Officers and Soldiers of the eight Independent Companies for twelve Months; and preventing the Exportation of ſeveral Commodities into the *French*, *Dutch*, and *Spaniſh* Iſlands; and for preventing ſeveral Frauds committed by Perſons trading to and from the Northern Colonies.

An Act for laying a Duty on all Wines and ſpirituous Liquors retailed in this Iſland, and applying the ſame to ſeveral Uſes.

An Act for raiſing Companies in the ſeveral Negroe Towns, and encouraging them to reduce rebellious and run-away Slaves.

An

An Act for the better Order and Government of the Negroes belonging to the ſeveral Negroe Towns, and for preventing them from purchaſing of Slaves.

An Act to explain and amend the Militia Act, and for the Encouragement of Slaves deſerting the Enemy, and raiſing Pioneer Negroes.

An Act for rebuilding, erecting, or finiſhing the Fortifications of *Port Morant*, in the Pariſh of St. *Thomas* in the Eaſt; or, in Lieu thereof, ſuch other Fortification, Breaſt work, Block-houſe, or Defences, as may be judged neceſſary for the Defence of the Harbour, and Security of the homeward and outward-bound Trade of the Iſland, and applying and appropriating Money for that Uſe; and alſo for appropriating the Sum of 400 *l.* towards the compleating the Fortification at *Lucea Harbour*.

An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white Men, capable of bearing Arms, or white Women, or pay certain Sums of Money, in caſe they ſhall be deficient; and applying the ſame to ſeveral Uſes; and for preventing ſeveral Abuſes committed by Perſons under Colour of an Act of this Iſland, intituled, "An Act for introducing white People into this Iſland, for ſubſiſting them for a certain Time, and providing "them with Land, that they may become Settlers;" and for adding Commiſſioners to thoſe already appointed to ſettle the Publick Accounts, and to thoſe appointed for ordering and inſpecting the Works to be performed in and about the Fortifications.

An Act for ſuſpending an Act, intituled, "An Act to prevent the ſelling of Powder to the rebellious "or any other Negroes whatſoever."

Private Acts——1744.

An Act for Sale of three Parcels of Land, lying waſte and uncultivated, Part of the Eſtate late of *James Rigby*, Eſq; deceaſed, for Payment of his Debts and Legacies, and for preſerving the profitable Part of his Eſtate.

An Act to intitle *Priſcilla Poynter*, a free Mullatto Woman, Daughter of *Peter Poynter*, late of *Port Royal*, Merchant, and her Children, *Charles*, *Priſcilla*, and *Anne Poynter*; and alſo *Mary Morgan*, a free Mullatto Woman, Daughter of the ſaid *Peter Poynter*, late Wife of *William Morgan*, late of *Kingſton*, Cooper, deceaſed, and her Children, *Peter* and *Milleſſcent Morgan*, free Mullattoes, begotten by white Fathers, to the ſame Rights and Privileges with *Engliſh* Subjects born of white Parents.

An Act to intitle *Elizabeth Ford*, alias *Reneuf*, of the Pariſh of *Kingſton*, in the ſaid Iſland, Tavernkeeper, a free Mullatto Woman, and her Son and Daughter, *Benjamin Tanner* and *Frances Ebzory*, both free Mullattoes, begotten by white Fathers, to the ſame Rights and Privileges with *Engliſh* Subjects born of white Parents.

Publick Acts in Force. Paſſed Anno 1745.

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An Act to impower Alexander Inglis, *Rector of the Pariſh of* St. Andrew, *and all future Rectors of the ſaid Pariſh, to grant Leaſes of Part of the Glebe Lands belonging to the ſaid Rectory, for a Number of Years certain,* —— 267

An Act to prevent Abuſes committed by entertaining, concealing, or carrying off this Iſland, any of his Majeſty's Soldiers belonging to any of the Regiments that now are, or hereafter ſhall be, in this Iſland; or any of the Seamen or others belonging to any of his Majeſty's Ships or Veſſels of War on this Station, —— —— 269

Publick Acts expired——1745.

An Act for laying a Duty on all Wines and ſpirituous Liquors retailed in this Iſland, and applying the ſame to ſeveral Uſes.

An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes; for ſubſiſting the Officers and Soldiers of the Regiment of Foot, of which his Excellency *Edward Trelawney*, Eſq; is Colonel, for twelve Months; and preventing the Exportation of ſeveral Commodities into the *French*, *Dutch*, and *Spaniſh* Iſlands; and for preventing ſeveral Frauds committed by Perſons trading to and from the Northern Colonies.

An Act for eſtabliſhing Commiſſioners for ſettling the Publick Accounts, and better collecting the Publick Debts and Taxes, and applying the ſame for diſcharging the Publick Engagements.

An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white Men, capable of bearing Arms, or white Women, or pay certain Sums of Money, in caſe they ſhall be deficient; and applying the ſame to ſeveral Uſes; and for adding Commiſſioners to thoſe already appointed to ſettle the Publick Accounts, and to thoſe appointed for ordering and inſpecting the Works to be performed in and about the Fortifications; and for impowering the Juſtices and Veſtry of the Pariſh of *St. Andrew* to lay a Tax for erecting Guard-houſes.

An Act to impower the Receiver General, with the Approbation of the Commiſſioners of Accounts, to borrow Money at Intereſt for the Uſes of the Publick.

An Act for putting this Iſland under Martial Law, for any Time not exceeding three Months; for impowering the Civil Magiſtrates, and other Officers of the reſpective Pariſhes in this Iſland, during the Time of Martial Law, to levy, aſſeſs, and collect, as well all Publick Debts as Parochial Taxes, for keeping the Highways in Repair; and for obliging the Provoſt-Marſhal to ſell Slaves, and other Effects now in his Cuſtody, in a prefixed Time; and for impowering the Commiſſioners of Accounts, and the Commiſſioners for ordering and inſpecting the Works to be performed in and about the Fortifications, to proceed in the ſame Manner as if Martial Law was not in Force.

An Act for raiſing a Tax by the Poll, and on Trades, Supercargoes and Maſters of Veſſels in the Outports, and on Offices, Rents, and Salaries of Overſeers, and applying the ſame to ſeveral Uſes.

Private Acts——1745.

An Act to intitle *Mary Johnſton Roſe*, of the Pariſh of *St. Catherine*, in the ſaid Iſland, a free Mullatto Woman, and her Sons, *Thomas Wynter* and *William Fuller*, begotten by white Fathers, to the ſame Rights and Privileges with *Engliſh* Subjects born of white Parents.

An Act to intitle *Sarah Shreyer*, a free Mullatto Woman, the Wife of *Godfrey Shreyer* the Elder, of the Pariſh of *St. Mary*, in the ſaid Iſland, Planter, a white Man, and *Thomas Shreyer*, *Samuel Shreyer*, *Godfrey Shreyer* the Younger, *Anthony Shreyer*, and *Chriſtiana Shreyer*, the Sons and Daughter of the ſaid *Godfrey Shreyer* the Elder, by the ſaid *Sarah* his Wife, to the ſame Rights and Privileges with *Engliſh* Subjects born of white Parents.

An Act for making free and rewarding two Negroe Women Slaves, the one named *Silvia*, belonging to *Charles Beati*; and the other, *Domingo*, belonging to the Eſtate of *Richard Garland*, deceaſed, and for paying to their Owners their reſpective Values; and for adding Commiſſioners to the Forts and Fortifications at *Port Morant*, to thoſe already appointed.

Publick Acts repealed or expired. Paſſed Anno 1746.

An Act for laying a Duty on all Wines and ſpirituous Liquors retailed in this Iſland, and applying the ſame to ſeveral Uſes.

An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes; for ſubſiſting the Officers and Soldiers of the Regiment of Foot, of which his Excellency *Edward Trelawney*, Eſq; is Colonel, for twelve Months; and preventing the Exportation of ſeveral Commodities into the *French*, *Dutch*, and *Spaniſh* Iſlands; and for preventing ſeveral Frauds committed by Perſons trading to and from the Northern Colonies.

An Act for the Amendment of an Act, intituled, "An Act for the better Diſcovery of his Majeſty's "Quit-rents," and for the obtaining a compleat and effectual Diſcovery of the ſame.

An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white Men, capable of bearing Arms, or white Women, or pay certain Sums of Money, in caſe they ſhall be deficient, and applying the ſame to ſeveral Uſes; and for adding Commiſſioners to thoſe already appointed to ſettle the publick Accounts, and to thoſe appointed for ordering and inſpecting the Works to be performed in and about the Fortifications.

An Act for providing and maintaining a Sloop or Veſſel of War, for the better guarding and defending the Sea Coaſts of this Iſland; and for ſecuring *Murray Crymble*, Eſq; againſt certain Bonds he hath entered into, to ſeveral Perſons, againſt whom Judgments have been obtained for Duties on Prize Goods.

An Act for appropriating the Sum of 8600 *l.* to the Uſe of the Forts and Fortifications, and for laying a Duty on the Tonnage of Shipping for the Uſe thereof; and for appointing Commiſſioners for ordering and inſpecting the Works to be performed in and about the ſame; and for applying a certain Sum of Money for altering and repairing the Gaol of *St. Jago de la Vega*; and for adding Commiſſioners to thoſe already appointed for the building Fortifications at *Port Morant*.

An Act for the further Qualification of Perſons elected to ſerve in this and all future Aſſemblies.

An Act to prohibit the Importation of Sugars of the Growth of the *French* and *Spaniſh* Colonies into this Iſland, as Merchandize, during the Continuance of the preſent War with *France* and *Spain*.

An Act for the better Order and Government of the Negroes belonging to the ſeveral Negroe Towns, and for preventing them from purchaſing of Slaves.

An Act for raiſing Companies in ſeveral Negroe Towns, and encouraging them to reduce rebellious and run-away Slaves.

An Act for the giving Licence to the Captors, other Proprietors, and Purchaſers of Prize Goods, brought into, and condemned as ſuch in this Iſland, to export the ſame under certain Regulations, free from any Duties impoſed by the Law of this Iſland; and for the laying a Duty on certain Wines, that may be brought in and condemned as Prize, and ſold in this Iſland, and not already liable to any Duty or Impoſt.

Private Acts——1746.

An Act for the manumizing certain Negroes.

An Act for veſting ſeveral Parcels of Land, Part of Fifteen thouſand Acres, at or near *Norman's Valley*, in *Thomas Love*, and ſundry other Perſons.

An Act to enable *Francis Sadler*, Eſq; and the Heirs Male of his Body, to aſſume and take the Sirname of *Hals*, purſuant to a Codicil annexed to the laſt Will and Teſtament of *Thomas Hals*, Eſq; deceaſed.

An Act to enable *Thomas Spencer* and *Eleanor Mortimer*, two of the Settlers at *Manchioneal*, in the Pariſh of *St. Thomas* in the Eaſt, to ſell the Lands granted to them, purſuant to the Laws for encouraging white People to come over and ſettle the uncultivated Lands, for Payment of their Debts.

An Act to intitle *Robert Halhed* and *Suſanna Halhed*, free Mullattoes, the reputed Son and Daughter of *Richard Halhed*, of the Pariſh of *St. Thomas* in the Vale, in the ſaid Iſland, Eſq; by *Grace Hazell*, a free Mullatto Woman; and alſo to intitle *Elizabeth*, the Wife of *Thomas Pierce*, of *London*, in the Kingdom of *Great Britain*, Gentleman, (which ſaid *Elizabeth* is alſo a free Mullatto, and another reputed Daughter of the ſaid *Richard Halhed*, by the ſaid free Mullatto Woman) to the ſame Rights and Privileges with *Engliſh* Subjects born of white Parents.

An Act to intitle *Richard Furnell*, an Infant, of the Age of four Years, a free Mullatto, the reputed Son of *Peter Furnell*, of the Pariſh of *Kingſton*, in the ſaid Iſland, Merchant, by a free Negroe Woman, to the ſame Rights and Privileges with *Engliſh* Subjects born of white Parents.

An Act to intitle *Elizabeth Cadogan*, Widow, formerly Wife of *Lawrence Cole*, Gentleman, afterwards of *Anthony Cook*, and ſince of *Thomas Cadogan*, deceaſed, and Daughter of *Charles Knight*, Eſq; deceaſed, by a free Indian Woman; and *John Cole*, *Charles Knight Cole*, and *Anne Cole*, Sons

and

and Daughters of the ſaid *Lawrence Cole* by the ſaid *Elizabeth*, to the ſame Rights and Privileges with *Engliſh* Subjects born of white Parents.

An Act to intitle *Anne Johnſon*, a free Mullatto Woman, the reputed Daughter of *John Johnſon*, of the Pariſh of *St. Catherine*, Planter, late deceaſed, and her Son *Thomas Wightwick*, to the ſame Rights and Privileges with *Engliſh* Subjects born of white Parents.

Publick Acts in Force. Paſſed Anno 1747. Page.

An Act for amending and perpetuating an Act, intituled, "An Act for the more "effectual preventing of Gaming, and Suppreſſion of Lotteries," —— 270

An Act to enable the Juſtices and Veſtry of the Pariſh of St. Catherine *to keep clean Part of the* Savannah Land, *to be a Common for the ſaid Pariſh, and to make Leaſes of the Remainder, for the Benefit of the Pariſh; and for authorizing and impowering the Juſtices of the ſaid Pariſh to lay a Tax on the Inhabitants of the Town of* St. Jago de la Vega, *for repairing the Roads and Streets uſually mended by the ſaid Town; and for authorizing the Juſtices and Veſtry of the Town and Pariſh of* Kingſton *to lay ſuch Taxes, for the amending the Roads and Streets in the ſaid Town and Pariſh,* —— —— —— —— 271

An Act for the farther regulating of the Service and Execution of Proceſs, and the Returns thereof, and other Purpoſes relating to the Service of Jurors, and rendering the ſame a more equal Duty, —— —— —— 273

An Act for applying and appropriating certain Sums of Money to ſeveral Uſes; and for enabling the Receiver General to negotiate and diſpoſe of ſuch Bonds as are and ſhall be given to his Majeſty for Quit-rents; and for impowering him to borrow certain Sums of Money at Intereſt, for the ſupplying the immediate Exigencies of the Government; and for reſtraining the Commiſſioners of Forts and Fortifications, for laying out more Money upon the ſaid Forts and Fortifications than ſhall, from Time to Time, be granted by the Aſſembly for the ſaid Fortifications, —— —— 277

An Act to explain and amend an Act, intituled, "An Act for introducing of white "People into this Iſland, for ſubſiſting them for a certain Time, and providing them "with Land, that they may become Settlers;" and alſo of an Act, intituled, "An "Act for giving the ſame Allowance to New-Comers, who ſhall take up and ſettle "Lands within the Pariſh of Portland, *as thoſe New-Comers are intitled to who "have taken up Lands at or near* Norman's Valley, *or at or near* Machioneal "Harbour, *by virtue of an Act, intituled, An Act for introducing white People into "this Iſland, for ſubſiſting them for a certain Time, and providing them with Land, "that they may become Settlers,"* —— —— 278

An Act for the Aſſaying of Gold and Silver Wares and Bullion, —— 280

An Act for laying out a Road from Pepper-plantation *over* Mayday-hills, *in the Pariſh of* St. Elizabeth, *to* St. Jago Savannah, *in the Pariſh of* Clarendon, —— 284

Publick Act expired——1747.

An Act for laying a Duty on all Wines, and other ſpirituous Liquors, retailed within this Iſland, and applying the ſame to ſeveral Uſes.

An Act for appointing *John Sharpe*, of the *Middle Temple*, *London*, Eſq; Agent in *Great Britain*, to ſolicit the paſſing of Laws, and other the Publick Affairs of this Iſland; and impowering certain Members of the Council and Aſſembly, during the Intervals of Aſſembly, from time to time, as Occaſion ſhall be, to give Inſtructions for ſuch his Management.

An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes; for ſubſiſting for twelve Months the Officers and Soldiers of the Regiment of Foot, of which his Excellency *Edward Trelawney*, Eſq; is Colonel; and preventing the Exportation of ſeveral Commodities into the *French*, *Dutch*, and *Spaniſh* Iſlands; and for preventing ſeveral Frauds committed by Perſons trading to and from the Northern Colonies.

An Act for the more effectual Execution of an Act, intituled, "An Act for the Amendment of an "Act for the better Diſcovery of his Majeſty's Quit-rents, and for the obtaining a compleat and "effectual Diſcovery of the ſame."

An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white Men, capable of bearing Arms, or white Women, or pay certain Sums of Money, in caſe they ſhall be deficient, and applying the ſame to ſeveral Uſes; and for adding Commiſſioners to thoſe appointed for ordering and inſpecting the Works to be performed in and about the Fortifications.

An Act for providing and maintaining a Sloop or Veſſel of War, and two Launches, or other ſmall Veſſels, for the better guarding and defending the Sea Coaſts of this Iſland.

An Act for eſtabliſhing Commiſſioners for ſettling the Publick Accounts, and better collecting the Publick Debts and Taxes, and applying the ſame for diſcharging the Publick Engagements.

An Act to compel all Perſons that ſhip Sugars from this Iſland to *Great Britain*, or any foreign Market, to pay Freight for the ſame by Weight; and to prevent the Owners and Maſters of Veſſels from agreeing for the Freight of ſuch Sugars in any other Manner.

An Act for impowering the Juſtices and Veſtry of the Pariſhes of *Weſtmoreland*, *Hanover*, and *St. James*'s, to raiſe a Tax for the hiring white Men and Negroes, to be properly armed, accoutred, and provided with Ammunition and Proviſions, for the Garriſons and Defence of the Forts and Fortifications at *Savannah la Mar*, *Hanover*, and *St. James*'s; and for impowering the Juſtices and

 Veſtry

Veſtry of the Pariſh of *St. James*, to appoint a Place or Places for the Trial of Negroe and other Slaves.

An Act for regulating the Militia.

Private Acts——1747.

An Act for veſting the Moiety of two Parcels of Land at *Manchioneal*, in the Pariſh of *St. Thomas* in the Eaſt, late the Eſtate of *John Barton*, Eſq; deceaſed, in Truſtees for the Sale thereof, for Payment of Debts and Legacies of the ſaid *John Barton*, and ſeveral Annuities chargeable on his Eſtate; and for the better Support of *Martha Barton*, an Infant Daughter of the ſaid *John Barton*; and for ſecuring the Eſtate and Intereſt of thoſe in Remainder, in the Money which ſhall ariſe by the Sale of the ſaid Lands.

An Act to intitle *Charles Scot*, of the Town and Pariſh of *Kingſton*, in the ſaid Iſland, a free Mullatto Man, to the ſame Rights and Privileges with *Engliſh* Subjects born of white Parents.

An Act to intitle *Jane Major*, of the Pariſh of *Kingſton*, in the ſaid Iſland, *ſingle Woman*, and *Edward James Augier*, *Thomas Augier*, *Peter Augier*, and *Dorothy Augier*, the Sons and Daughters of the ſaid *Jane Augier*, all free Mullattoes, to the ſame Rights and Privileges with *Engliſh* Subjects born of white Parents.

An Act to intitle *Mary Augier*, of the Pariſh of *Kingſton*, in the ſaid Iſland, *ſingle Woman*, and *William*, *Elizabeth*, *Jane*, and *Eleanor Augier*, Son and Daughters, and *Jacob* and *Elizabeth Augier*, her Brother and Siſter, and *John Augier*, Son of the ſaid *Elizabeth*, the Siſter of the ſaid *Mary*, all free Mullattoes, to the ſame Rights and Privileges with *Engliſh* Subjects born of white Parents.

An Act to intitle *Foſter March*, *Charles March*, *John March*, *William March*, and *Anne March*, the reputed Sons and Daughter of *Foſter March*, of the Pariſh of *St. Catherine*, Eſq; by *Elizabeth Rogers*, a free Mullatto, to the ſame Rights and Privileges with *Engliſh* Subjects born of white Parents.

An Act to intitle *William Duckinfield*, *Edward Duckinfield*, and *Elizabeth Duckinfield*, Infants, under the Age of 21 Years, the reputed Children of *Robert Duckinfield*, of the Pariſh of *St. Thomas* in the Eaſt, Eſq; to the ſame Rights and Privileges with *Engliſh* Subjects born of white Parents.

An Act to intitle *Elizabeth Rogers*, a free Mullatto Woman, and *Mary Baſſnet*, her Daughter, to the ſame Rights and Privileges with *Engliſh* Subjects born of white Parents.

An Act to intitle *William Mac Donald*, of the Pariſh of *St. James*, a free Mullatto Man, to the ſame Rights and Privileges with *Engliſh* Subjects born of white Parents.

An Act for the Relief of the Proprietors of certain Lands, called *Hobby's Plantation*, in the Pariſh of *St. George*.

An Act for the Relief of the Proprietors of certain Lands called *Paradiſe*, in the Pariſh of *St. George*.

An Act for veſting ſeveral Parcels of Land in the Pariſh of *Vere*, Part of the Eſtate of *Milborough*, a Minor, Wife of *Richard Cargill*, Eſq; only Daughter and Deviſee of *William Hodgins*, Eſq; deceaſed, in Truſtees, to be by them ſold to pay off his Majeſty's Quit-rents, and the Legacies of *Edward Gibbons Hodgins*, ſtill due from the ſaid Eſtate; and for preſerving the moſt improvable and profitable Parts thereof for the ſaid *Milborough Cargill*, and others, who may be intitled thereto, under the Will of *William Hodgins*, her Father.

An Act for veſting ſeveral and various Tracts and Parcels of uncultivated and waſte Lands, ſituate in the Precincts of *Vere* and *St. Elizabeth*; alſo a certain Piece of Penn Land, or Penn, commonly called or known by the Name of *Mount Pleaſant*, lying and being in the Precinct of *St. Andrew's*, together with all Structures and Edifices thereon, Part of the Eſtate of *Jonathan Gale*, late of the Pariſh of *St. Elizabeth*, Eſq; deceaſed, in *Barnart Andreas Woodſtock*, *Edward Manning*, and *Peter Serjeant*, and their Heirs, to ſell and diſpoſe of the ſame, for the Preſervation of the moſt profitable Part of his real Eſtate, for the Benefit of his only Son and Heir, *Henry Gale*, a Minor, and of ſuch other Perſon or Perſons who ſhall or may be intitled thereto, upon the Deceaſe of the ſaid *Henry Gale*, or otherwiſe under the laſt Will and Teſtament of the ſaid *Jonathan Gale*; and for applying the Monies ariſing from the Sale thereof, towards Payment and Satisfaction of the Quit-rents due to his Majeſty for the ſaid Lands, and of the Incumbrances, Debts, and Legacies affecting the Eſtate late of the ſaid *Jonathan Gale*, Eſq;

Publick Act in Force. Paſſed Anno 1748. Page.

An Act for regulating and ſettling the Livings of the Clergy, and aſcertaining the ſame, and giving the Biſhop of London *eccleſiaſtical Juriſdiction over them*, —— 288

An Act for making free Negroes, Indians, and Mullattoes, Evidence in all Cauſes againſt one another, in all the Courts of this Iſland, —— —— 290

An Act for cauſing the Streets, Ways, and Avenues leading into and out of the Town of St. Jago de la Vega *to be cleanſed, and for keeping the ſame conſtantly clean and in good Repair*, —— —— —— —— 290

Publick Acts expired——1748.

An Act for laying a Duty on all Wines, Rums, and other ſpirituous Liquors retailed in this Iſland, and applying the ſame to ſeveral Uſes.

An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes; for ſubſiſting for twelve Months the Officers and Soldiers of the Regiment of Foot, of which his Excellency *Edward Trelawney*, Eſq; is Colonel; and preventing the Exportation of ſeveral Commodities into the *French*, *Dutch*, and *Spaniſh* Iſlands; and for preventing ſeveral Frauds committed by Perſons trading to and from the Northern Colonies.

An Act for raiſing a certain Number of Negroes, to be employed in his Majeſty's Service for a Time therein limited.

An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white Men, capable of bearing Arms, or white Women or Children, or pay certain Sums of Money,

Money, in caſe they ſhall be deficient, and applying the ſame to ſeveral Uſes; and to enlarge the Time for the ſeveral Pariſhes of this Iſland to return the Accounts of Quit-rents, given in, in ſuch Pariſhes, to the Receiver General; and for authorizing and impowering the Commiſſioners for erecting a Houſe or Edifice for the Uſe of the Council and Aſſembly, and for the better preſerving the Publick Records, and for the Reception of the Small Arms, to purchaſe Lands and Tenements adjoining the Parade of *St. Jago de la Vega*, for the Uſe of the ſaid Houſe or Edifice.

An Act for appropriating the Sum of 6806 *l.* 2 *s.* 11 *d.* to the Uſe of the Forts and Fortifications, and other Uſes; and for laying a Duty on the Tonnage of Shipping for the Uſe thereof, and for appointing Commiſſioners for ordering and inſpecting the Works to be performed in and about the ſame.

Private Acts——1748.

An Act for the Encouragement of *Archibald Bontein*, his Majeſty's Engineer of this Iſland, in his Projections for making Machines or Mills for grinding Sugar-Canes in the ſaid Iſland.

An Act for Sale of certain Lands, Tenements, and Slaves, at *Manchioneal*, in the Pariſh of *St. Thomas* in the Eaſt, belonging to *Thomas Bucker*, a Minor, Son and Heir, and reſiduary Deviſee, of *Thomas Bucker*, late of the ſaid Pariſh, Planter, deceaſed, for Payment of the Debts and Legacies of the ſaid *Thomas Bucker*, deceaſed.

Publick Acts in Force. Paſſed Anno 1749. Page.

An Act for the more effectual carrying into Execution a Clauſe in an Act, intituled, "An Act for encouraging white People to come over and become Settlers in this Iſland, "and for the more eaſy and ſpeedy ſettling the North-eaſt Part thereof, and for "making Port Antonio *a Port of Entry and Clearance of all Ships and Veſſels,* 293

An Act for amending and rendering more effectual an Act, intituled, "An Act for "cauſing the Streets, Ways, and Avenues, leading into and out of the Town of St. Jago de la Vega, *to be cleanſed, and for keeping the ſame conſtantly clean and in "good Repair,"* 295

An Act for the better and more effectual Encouragement of white Families to become Settlers in this Iſland, and for giving a Bounty to certain Artificers to come over and exerciſe their ſeveral Trades, 296

An Act for veſting the Toll heretofore granted to William Peete, *by virtue of an Act, intituled, "An Act for impowering* William Peete *to keep the Ferry, and erect a "Toll-gate or Turnpike between* St. Catherine's *and* St. Andrew's, *and taking up "run-away Negroes," in Truſtees, for repairing the Roads between* Rio Cobre, *in the Pariſh of* St. Catherine, *and* Water-houſe Savannah, *in the Pariſh of* St. Andrew, *and other Purpoſes therein mentioned,* 300

An Act to inflict further and other Puniſhments on run-away Slaves, and ſuch as ſhall entertain them, 306

An Act to enable the Directors of the Bath of St. Thomas *the Apoſtle, to grant certain Lots and Parcels of the Bath-Land in Fee, and adding Directors to thoſe already appointed, and for the rendering the ſaid Bath more uſeful to the Publick,* 307

An Act for a total Remiſſion of ſeveral Debts due to the Publick from divers of the new Settlers at Norman's Valley, Manchioneal, *and* Portland; *and for veſting a Lot of Land upon the Bay or Harbour at* Manchioneal *in each of the Settlers there, for the Convenience of landing, ſtoring, and ſhipping their Goods to Market, in Lieu of other Lots adjacent to the Barracks,* 309

An Act to appoint proper and certain Days for the Freeholders of the ſeveral Pariſhes within this Iſland to meet and chuſe Veſtrymen, and other Parochial Officers, and for protecting Freeholders from Arreſts on the Days of Election of Members to ſerve in the Aſſembly, 311

An Act to amend an Act, intituled, "An Act to repeal Part of an Act, intituled, An "Act for the more effectual Puniſhment of Crimes committed by Slaves, and to oblige "the ſeveral Pariſhes to pay for all Negroes executed in each reſpective Pariſh," 313

An Act for the building of a Guard-houſe and Barracks in the Town of Kingſton, 314

An Act to prevent the clandeſtine killing and marking of Cattle, and for the better Regulation of Hunting, 314

Publick Acts expired——1749.

An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes; for ſubſiſting for ſix Months the Officers and Soldiers of the Regiment of Foot, of which his Excellency *Edward Trelawney*, Eſq; is Colonel; and preventing the Exportation of ſeveral Commodities into the *French*, *Dutch*, and *Spaniſh* Iſlands; and for preventing ſeveral Frauds committed by Perſons trading to and from the Northern Colonies.

An Act for laying a Duty on all Wine, Rum, and other ſpirituous Liquors retailed within this Iſland, and applying the ſame to ſeveral Uſes.

An Act for the better Order and Government of the Negroes belonging to the ſeveral Negroe Towns, and for preventing them from purchaſing of Slaves.

An Act for raiſing Companies in ſeveral Negroe Towns, and encouraging them to reduce rebellious and run-away Slaves.

An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white Men, or white Women, or Children, or pay certain Sums of Money, in caſe they ſhall be deficient; and applying the ſame to ſeveral Uſes.

An Act for eſtabliſhing Commiſſioners for ſettling the Publick Accounts.

An Act for balancing the ſeveral Accounts of his Majeſty's Old Revenue, and for applying ſo much of the Surpluſage of his Majeſty's Old and New Revenue as may be neceſſary to diſcharge a certain Sum advanced and paid by the Receiver General to the Uſe of Parties, heretofore raiſed for the Reduction of rebellious Negroes.

An Act for the Relief of Minors, and of Perſons abſent from this Iſland, in the giving in their Lands and Payment of their Quit-rents; and alſo for the Relief of Perſons who have made Miſtakes and Errors in ſuch Givings-in and Payments.

An Act to impower the Honourable *Benjamin Hume*, Eſq; the preſent Receiver General, to retain in his Hands a Commiſſion on the Surpluſages of the ſeveral Funds, thoſe ariſing by the Revenue only excepted.

Publick Acts in Force. Paſſed Anno 1750. Page.

An Act for continuing and explaining an Act, intituled, "An Act for the Aſſaying of "Gold and Silver Wares and Bullion," —— —— 316

An Act for giving the ſame Allowance to New-comers, who ſhall take up and ſettle Lands within the Pariſh of Portland, *as thoſe New-comers are intitled to who have taken up Lands at or near* Manchioneal Harbour, *by virtue of an Act, intituled, "An Act "for introducing white People into this Iſland, for ſubſiſting them for a certain "Time, and providing them with Land, that they may become Settlers,"* —— 317

An Act to compel all Perſons that ſhip Sugars from this Iſland to Great Britain, *or any foreign Market, to pay Freight for the ſame by Weight; and to prevent the Owners and Maſters of Veſſels from agreeing for the Freight of ſuch Sugars in any other Manner,* —— —— —— —— 318

An Act for appointing ſtandard Weights to be kept at ſundry Places near the Out-ports of this Iſland; and oblige the Perſons keeping ſuch Weights, and the Clerks of the Market, to prove all Weights by the Standard, at ſtated Times, —— 319

An Act for repealing two ſeveral Acts, the one intituled, "An Act for the Eaſe of the "Inhabitants of the Pariſh of St. James," *paſſed in One thouſand Seven hundred Thirty-three; and the other, intituled, "An Act for repealing an Act, intituled, An "Act for the Eaſe of the Pariſh of* St. James, *and appointing the Place for holding "the Courts of Quarter-Seſſions, Common-Pleas, and other publick Buſineſs of the "Pariſh," paſſed in One thouſand Seven hundred and Thirty-ſix,* —— 321

An Act for the effectual carrying into Execution an Act, intituled, "An Act for the "laying out a Road from Pepper-Plantation *over* Mayday-Hills, *in the Pariſh of "* St. Elizabeth, *to* St. Jago Savannah, *in the Pariſh of* Clarendon," —— 321

An Act to eſtabliſh the Credit of foreign Bills of Exchange, by compelling the Payment of Intereſt thereon after Judgment, —— —— —— 322

An Act to make the Copies of Tranſcripts of Plotts, Plott-Books, and other Records in the Office of the Clerk of the Patents and Regiſter in Chancery, valid, legal, and effectual Records, —— —— —— 322

An Act for the admitting the Evidence of Slaves againſt Slaves, for Crimes by them committed on the High Seas, —— —— —— —— 323

An Act to encourage the Breed of good and large Horſes, —— —— 324

An Act to impower and oblige the Inhabitants of the Pariſh of St. John *to mend and keep in Repair the Road from the Town of* St. Jago de la Vega, *through the Savannah, to the Foot of the Red Hills leading to* Guanaboa, *in the Pariſh of* St. John; *and to impower and oblige the Inhabitants of the Pariſh of* St. Thomas *in the Vale, to mend and keep in Repair the Road from the Town of* St. Jago de la Vega, *through the Savannah, to a Place called the* Angels, *in the Pariſh of* St. Catherine, *leading to the ſaid Pariſh of* St. Thomas *in the Vale; and impowering and obliging the Juſtices and Veſtry of the Pariſh of* Clarendon *to open and repair a Road of Communication from* George Maddox's *Plantation,* Old Woman's Savannah, *in the ſaid Pariſh of* Clarendon, *to the Vale of* Luidas *in the Pariſh of* St. John, —— 326

Publick Acts expired——1750.

An Act for laying a Duty on all Wines, Rum, and other ſpirituous Liquors, retailed in this Iſland; and applying the ſame to ſeveral Uſes.

An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes; for ſubſiſting for twelve Months the Officers and Soldiers of the Regiment of Foot, of which his Excellency *Edward Trelawney*, Eſq; is Colonel; and preventing the Exportation of ſeveral Commodities into the *French*, *Dutch*, and *Spaniſh* Iſlands; and for preventing ſeveral Frauds committed by Perſons trading to and from the Northern Colonies.

An Act for appointing *John Sharpe*, of the *Middle Temple*, *London*, Eſq; Agent in *Great Britain*, to ſolicit the paſſing of Laws, and other the publick Affairs of this Iſland; and impowering certain Members of the Council and Aſſembly, during the Intervals of Aſſembly, from time to time, as Occaſion ſhall be, to give Inſtructions for ſuch his Management.

An

An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white Men, or white Women, or Children, or pay certain Sums of Money, in caſe they ſhall be deficient, and applying the ſame to ſeveral Uſes.

An Act for laying out, making, and repairing a Road from *Cheſterfield Plantation*, in the Pariſh of *St. Elizabeth*, through *Mountpellier Plantation*, belonging to *Francis Sadler Hals*, Eſq; to the North Sea.

Publick Acts in Force. Paſſed Anno 1751. Page.

An Act for explaining, amending, and rendering more effectual an Act, intituled, "An "Act for ſettling the Militia," ——— 327

An Act for the better Order and Government of the Negroes belonging to the ſeveral Negroe Towns, and for preventing them from purchaſing of Slaves, ——— 332

An Act for the better regulating the Probates of Deeds and Conveyances, and Letters of Attorney, executed off this Iſland, ——— 334

An Act for the Sale of Flour by Weight, ——— 335

An Act to impower the Juſtices and Veſtry of the Pariſh of St. Thomas *in the Eaſt, to allot Negroes for making a Road from the Sea to the Bath,* ——— 335

An Act to explain and amend Part of an Act, intituled, "An Act for the more effec- "tual directing the Marſhal's Proceedings, and regulating thereof," ——— 336

An Act to explain Part of an Act, intituled, "An Act for the better Order and Go- "vernment of Slaves, and for inflicting further and other Puniſhments on Perſons "killing Negroes, or other Slaves," ——— ——— 337

An Act for making good and wholſome Proviſions for raiſing and eſtabliſhing the Credit of this Iſland, and repealing of an Act, intituled, "A ſupplemental and explanatory "Act," ——— ——— ——— ——— 338

An Act for obliging the Juſtices and Veſtry of the Pariſh of St. Mary *to make good certain Deficiencies to the Publick, and for altering the Day of electing Veſtrymen and Churchwardens in the ſaid Pariſh,* ——— ——— ——— 344

Publick Acts repealed or expired——1751.

An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes; for ſubſiſting for twelve Months the Officers and Soldiers of the Regiment of Foot, of which his Excellency *Edward Trelawney*, Eſq; is Colonel; and preventing the Exportation of ſeveral Commodities into the *French*, *Dutch*, and *Spaniſh* Iſlands; and for preventing ſeveral Frauds committed by Perſons trading to and from the Northern Colonies.

An Act for laying a Duty on all Wines, Rum, and other ſpirituous Liquors, retailed within this Iſland, and applying the ſame to ſeveral Uſes.

An Act for laying a Duty on Tonnage, and applying the ſame to the Uſe of the Forts and Fortifications; and for regulating the Duty of Gunpowder payable on Tonnage, by virtue of an Act, intituled, "An Act for granting a Revenue to his Majeſty, his Heirs, and Succeſſors, for the "Support of the Government of this Iſland, and for reviving and perpetuating the Acts and "Laws thereof."

An Act for chuſing the Members of Aſſembly of this Iſland by Ballot, and for the more effectual preventing Abuſes and indirect Practices in Elections.

An Act for continuing this preſent Aſſembly until the 20th Day of *December* next.

An Act for eſtabliſhing Commiſſioners for ſettling the Publick Accounts.

An Act providing that all the Judges of the Supreme Court of Judicature of this Iſland, ſhall hold their Offices *quam diu ſe bene geſſerint*.

An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white Men, white Women, or Children, or pay certain Sums of Money, in caſe they ſhall be deficient; and apply the ſame to ſeveral Uſes.

An Act for the further Regulation of the Provoſt Marſhal's Proceedings, eſtabliſhing Priority of Judgments, quieting Poſſeſſions of Slaves purchaſed upon *Venditioni*, and Limitation upon Bonds, Mortgages, Judgments, and other Securities, and impowering the aſſiſtant Judges to ſign Writs.

An Act for explaining an Act, intituled, "An Act for the further quieting of Poſſeſſions, and "regulating Re-ſurveys, and eſtabliſhing reputed Boundaries."

An Act for carrying the Surpluſages of ſeveral Funds to an aggregate Fund, for paying the Deficiencies of other Funds, and ſundry other Demands on the Publick, and for appropriating ſeveral Sums of Money out of the ſaid Fund.

An Act appointing Commiſſioners of *Niſi Prius*, and enlarging the Juriſdiction of Juſtices of the Peace in Matters of Debt.

Private Acts——1751.

An Act to intitle *Thomas Majeau* and *Elizabeth Majeau*, the reputed Son and Daughter of *Peter Majeau*, of the Pariſh of *St. Mary*, in the ſaid Iſland, Planter, by *Mary Ganton*, a free Indian Woman, to the ſame Rights and Privileges of *Engliſh* Subjects born of white Parents.

An Act for veſting ſeveral Tracts and Parcels of Land, ſituate, lying, and being in the Pariſh of *St. Elizabeth*, in the ſaid Iſland, Part of the Eſtate of *William Vaſſal*, of the ſaid Pariſh, Eſq; in *Bernart Andreas Woodſtock*, *John Morſe*, *William Yecles*, *Stephen Dennis*, *John Vaſſal*, and *Chriſtopher Senior*, and their Heirs, for enabling the ſaid *Bernart Andreas Woodſtock*, *John Morſe*, *William Yecles*, *Stephen Dennis*, *John Vaſſal*, and *Chriſtopher Senior*, and their Heirs, to ſell and diſpoſe of the ſame, for the Preſervation of the moſt profitable Part of his Eſtate, for the Benefit of his eldeſt Son and Heir at Law, *John Vaſſal*, a Minor, and of ſuch other Perſon or Perſons who ſhall or may be intitled thereto, upon the Deceaſe of the ſaid *John Vaſſal*, or otherwiſe, under the laſt Will and Teſtament of the ſaid *William Vaſſal*; and for applying the Monies ariſing from the Sale

 thereof

thereof towards Payment and Satisfaction of the Quit-rents due to his Majeſty for the ſaid Lands, and of the Incumbrances, Debts, and Legacies affecting the Eſtate of the ſaid *William Vaſſal*.

An Act to augment the Salary of his Excellency *Charles Knowles*, Eſq;

Publick Acts in Force. Paſſed Anno 1752. Page.

An Act to alter and amend an Act, intituled, "An Act to encourage the Breed of good "and large Horſes," —— —— —— 346

An Act to impower the Juſtices and Veſtry of the Pariſh of Weſtmoreland *to purchaſe a Lott or Lotts of Land in or near the Town of* Savannah la Mar, *and to build a Court-houſe thereon,* —— —— —— 346

An Act for making Proviſion for ſuch Perſons as may arrive from any of his Majeſty's Sugar Colonies, —— —— —— —— 347

An Act for continuing an Act, intituled, "An Act for the further regulating of the "Service and Execution of Proceſs, and the Returns thereof, and other Purpoſes "relating to the Service of Jurors, and rendering the ſame a more equal Duty;" and for a Proof of the Service of Actions at the Suit of the Provoſt-Marſhal, 348

An Act to prohibit the Importation of Sugar, Rum, and Mullaſſes, of the Growth of the French, Spaniſh, Dutch, *and* Daniſh *Colonies in* America, *into this Iſland; and for preventing ſeveral Frauds committed by Perſons trading to and from the Northern Colonies,* —— —— —— —— 348

An Act to give a Recompence to Perſons that ſhall be unjuſtly vexed by Writs of Replevin, —— —— —— —— 350

An Act for the Relief and better Regulation of the Poor, and to oblige Maſters of Ships and other Veſſels to indemnify the ſeveral Pariſhes of this Iſland, againſt any Charges or Expences for ſupporting and curing their ſick, maimed, infirm, or diſabled Seamen, 352

An Act to explain and amend a Clauſe in an Act, paſſed in the Year One thouſand Seven hundred and Fifty-one, intituled, "An Act for making good and wholſome Provi- "ſions for raiſing and eſtabliſhing the Credit of this Iſland, and repealing of an Act, "intituled, A ſupplemental and explanatory Act," —— —— 353

An Act for adding Truſtees to thoſe already appointed for veſting the Eſtate, real and perſonal, of Thomas Finch, *late of the Pariſh of* Kingſton, *Eſq; in Truſtees, the better to enable his Securities to pay the Sum of Three thouſand Eight hundred Pounds, due from the ſaid* Thomas Finch, *as Commiſſioner to the Publick,* —— 354

Publick Acts repealed or expired——1752.

An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes; for ſubſiſting for one Year the Officers and Soldiers of the Regiment of Foot, of which his Excellency *Eduard Trelawney*, Eſq; is Colonel.

An Act for laying a Duty on all Wines, Rum, and other ſpirituous Liquors, retailed within this Iſland; and applying the ſame to ſeveral Uſes; and for repealing, after the firſt Day of *November*, in the preſent Year of our Lord 1752, an Act, intituled, "An Act for laying a Duty on all Wines, "Rum, and other ſpirituous Liquors, retailed within this Iſland, and applying the ſame to ſeveral "Uſes," paſſed the 31ſt Day of *October*, in the Year of our Lord 1751.

An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white Men, Women, or Children, or pay certain Sums of Money, in caſe they ſhall be deficient, and applying the ſame to ſeveral Uſes.

An Act to oblige the Receiver General to give a larger Security than what is directed by the Revenue Act; and to prevent certain Officers from being Members either of the Council or Aſſembly of this Iſland.

An Act for raiſing Companies in the ſeveral Negroe Towns, and encouraging them to reduce rebellious and run-away Slaves.

Private Acts——1752.

An Act to enable *Charles Price*, Eſq; Speaker of the preſent Aſſembly, to take up a ſufficient Quantity of Water, to be conveyed from a Brook, called *Murmuring Brook*, ſituate at *Luidas*, in the Pariſh of *St. John*, through the Land of divers Perſons, to the Plantation of the ſaid *Charles Price*, called *Worthy Park*, ſituate at *Luidas*, in the ſaid Pariſh of *St. John*, for the turning of Mills.

An Act to enable *Thomas Hope Eletſon*, Eſq; to take up a ſufficient Quantity of Water, for turning Mills for grinding of Sugar-Canes, out of *Hope River*, in the Pariſh of *St. Andrew*, to convey the ſame through the Land of divers Perſons to the Plantation of the ſaid *Thomas Hope Eletſon*, called *Hope Plantation*, in the ſaid Pariſh.

An Act for granting to *Robert Halhead*, of the Pariſh of *St. Thomas* in the Vale, Surgeon, the ſame Right, Liberties, Franchiſes, and Immunities, as his Majeſty's Liege People do hold and enjoy.

An Act to intitle *Anne Berdaw*, a free Mullatto Woman, *Suſanna Nanfan*, the Wife of *Charles Nanfan*, and *James Adair*, two of the Children of the ſaid *Anne Berdaw*, to the ſame Rights and Privileges with *Engliſh* Subjects born of white Parents.

Publick Acts in Force. Paſſed Anno 1753.

An Act to prevent frivolous and vexatious Arreſts, —— —— 355

An Act for continuing an Act, intituled, "An Act for the further Regulation of the Ser- "vice and Execution of Proceſs, and the Returns thereof, and other Purpoſes re-

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" *lating to the Service of Jurors, and rendering the ſame a more equal Duty; and*
" *for the Proof of the Service of Actions at the Suit of the Provoſt-Marſhal,*" —— 355
An Act to impower his Excellency the Governor, or the Governor and Commander in Chief for the Time being, to make Grants to New-comers of the One hundred Acres of Land laid out for the Uſe of Parties near the Barrack at or near Manchioneal Harbour, 356
An Act for the more effectual preventing the evil Practice of Owners of Slaves hiring out ſuch Slaves to themſelves, —— —— —— 357
An Act for making a Road for Wheel Carriages from Kingſton *to the Bath,* —— 357

Publick Acts expired——1753.

An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes; for ſubſiſting for one Year the Officers and Soldiers of the Regiment of Foot, of which his Excellency *Edward Trelawney*, Eſq; is Colonel.

An Act for laying a Duty on all Wines, and other ſpirituous Liquors, retailed within this Iſland, and applying the ſame to ſeveral Uſes.

An Act for appropriating and applying ſeveral Sums of Money to the Uſe of the Fortifications at *Muſquito Point* and *Rock Fort.*

An Act appointing Commiſſioners to ſettle the Publick Accounts, and to look into the State of, and count the Caſh in the Treaſury; and to oblige the Receiver General and Commiſſioner to keep one general Account of Caſh.

An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white Men, white Women, or Children, or pay certain Sums of Money, in caſe they ſhall be deficient, and applying the ſame to ſeveral Uſes; and for impowering the Juſtices and Veſtry of the Pariſhes of *St. Elizabeth* and *Hanover* to raiſe, levy, and collect certain Arrearages.

Private Act. Paſſed Anno 1753.

An Act for veſting ſeveral Tracts and Parcels of uncultivated Lands, in the Pariſhes of *St. Elizabeth* and *Weſtmoreland*, in the ſaid Iſland, belonging to the ſaid Pariſh of *St. Elizabeth*, in *Bernart Andreas Woodſtock*, *John Morſe*, *Waſtel Briſcoe*, *George Raxtead*, *Francis Smith*, and *Joſeph Armſtrong*, Eſqrs. and their Heirs, for enabling the ſaid *Barnart Andreas Woodſtock*, *John Morſe*, *Waſtel Briſcoe*, *George Raxtead*, *Francis Smith*, and *Joſeph Armſtrong*, and their Heirs, to ſell and diſpoſe of the ſame, for the Uſe and Benefit of the ſaid Pariſh of *St. Elizabeth*, and for the Improvement of the Lands belonging to the Parſonage there, and for Payment of the Quit-rents due to his Majeſty from the ſaid Lands.

Publick Acts expired. Paſſed Anno 1754.

An Act for raiſing ſeveral Sums of Money, and applying the ſame to ſeveral Uſes; for ſubſiſting for one Year the Officers and Soldiers of the Regiment of Foot, of which *George Walſh*, Eſq; is Colonel.

An Act for laying a Duty on all Wines, Rum, and other ſpirituous Liquors retailed within this Iſland, and applying the ſame to ſeveral Uſes.

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THE

LAWS

OF

JAMAICA.

An Act appointing the Number of the Aſſembly. 1681.

BE it enacted and ordained by the Governor, Council, and Aſſembly; and it is hereby enacted by the Authority of the ſame, That in every Aſſembly hereafter to be called by his Majeſty's Writs, and held within this Iſland, there be choſen Three Repreſentatives for the Pariſh of St. *Catherine*'s, the like Number for the Pariſh of *Port-Royal*, and Two for each other of the reſpective Pariſhes that now are, or hereafter ſhall be in this Iſland; and that the Provoſt Marſhal, or his lawful Deputy, give to every Perſon elected, within Ten Days after his Election, Notice that he is ſo elected. Act 1.

II. PROVIDED always, That every Perſon elected ſhall be a Freeholder in this Iſland; and that none have Right to vote in any Election, but thoſe that are Freeholders in the ſame Pariſh where the Election is to be made. Proviſo.

An Act for regulating Servants.

BE it enacted and ordained by the Governor, Council, and Aſſembly; and it is hereby enacted and ordained by the Authority of the ſame, That all and every Maſter or Miſtreſs of Slaves, for the firſt Five working Slaves, ſhall be obliged to keep One white Man-ſervant, Overſeer, or hired Man, for Three Months at leaſt; and if the Number increaſe to Ten, Two; and for every Ten after the firſt, One, to be reſident in the Plantation where the Negroes are employed: And if any ſhall be wanting, for the Space of Six Months, of the Proportion aforeſaid, he, ſhe, or they, for every Servant ſo wanting, ſhall forfeit Five Pounds to the Uſe of the Pariſh where ſuch Default ſhall be made; to be recovered by the Church-wardens, by Action of Debt in any Court of Record in this Iſland. Act 2.

1681. II. And it is further enacted and ordained by the Authority aforeſaid, That all Maſters, Miſtreſſes, or Overſeers of Slaves, who ſhall not truly inform the Conſtable or Conſtables within their ſeveral Precincts, when thereunto required, of all ſuch hired Men, or Servants, and working Slaves, as ſhall juſtly and truly belong unto them, or be under their Care, ſhall forfeit the Sum of Twenty Pounds; to be recovered by Bill, Plaint, or Information in any Court of Record within this Iſland, where no Eſſoin, Protection, or Wager of Law ſhall be allowed; one third of which Penalty ſhall be to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; one Third to the Church-wardens of the Pariſh where the Offence ſhall be committed, for the Uſe of the ſaid Pariſh; and the other Third to the Informer, or he that ſhall ſue for the ſame.

III. And whatever Conſtable or Conſtables ſhall neglect his or their Duty herein, by not demanding an Account every Six Months, and returning the ſame unto the Juſtices ſitting at the next Quarter-ſeſſions of that Precinct, which they are hereby required to do, ſhall, for every ſuch Default, forfeit the like Sum of Twenty Pounds; to be recovered and applied in Manner and Form aforeſaid.

IV. That all Servants ſhall ſerve according to their Contract and Indenture; and where there is no Contract or Indenture, Servants under Eighteen Years of Age, at their Arrival in this Iſland, ſhall ſerve ſeven Years; and above Eighteen Years of Age, ſhall ſerve Four Years: And all convicted Felons, for the Time of their Baniſhment, and at the Expiration of their Times aforeſaid, ſhall receive from their late Maſter, Miſtreſs, or Employer, Forty Shillings, and a Certificate of their Freedom upon Demand; and whoſoever ſhall refuſe, without juſt Cauſe, to give ſuch Certificate to any Servant, Artificer or Labourer, whoſe Time is expired, or Contract performed, ſhall forfeit Forty Shillings for every ſuch Refuſal.

Penalty on employing uncertificated Perſons.

V. And whoſoever ſhall employ any free Perſon without a Certificate from the laſt Employer, of the Performance of his or their laſt Bargain or Contract, ſhall forfeit Ten Pounds.

Penalty on trading with Slaves without Conſent of their Owners.

VI. That no Perſon or Perſons preſume to trade with any Servant or Slave without the Maſter or Miſtreſs's Conſent, on Penalty of forfeiting to the Maſter or Miſtreſs of ſuch Servant or Slave treble the Value of the Things traded for, bought, or ſold, and alſo Ten Pounds current Money of this Iſland; to be recovered by ſuch Maſter or Miſtreſs, by Action of Debt in any Court of Record: And all Contracts made with Servants or Slaves to be utterly void.

Puniſhment of Servants for laying violent Hands on their Owners.

VII. That if any Servant or hired Labourer ſhall lay violent Hands upon his or her Employer, Overſeer, or other Perſon put in Authority over him or her, ſuch Servant or Labourer ſhall, for ſuch Offence, ſerve his or her Employer without any Wages Twelve Months, by Order of any Juſtice of the Peace, on Conviction.

Overſeer, &c. waſting his Employer's Goods, to make Satisfaction according to the Diſcretion of a Juſtice.

VIII. That by the like Order and Conviction, any Overſeer or Artificer, hired Labourer or Servant, that ſhall imbezil, purloin, make away, or waſte any of his or her Employers Money, Goods, or Chattels, not exceeding the Value of Forty Shillings, ſhall ſerve, or make Satisfaction, according to the Diſcretion of any one of his Majeſty's Juſtices of the Peace; and if above the Value of Forty Shillings, to ſerve Two Years by the like Order without any Wages, and be further liable in caſe that Time will not ſatisfy; and if any ſuch Perſon as aforeſaid ſhall imbezil, purloin, or make away any Money, Goods or Chattels of any others than their Maſters, Miſtreſſes, or Employers, they ſhall incur the ſame Penalty, and ſerve the Party injured as aforeſaid, after their Time expired with their Maſters or Miſtreſſes.

Penalty on the Fathers and Mothers of Baſtard Children;

IX. And be it further enacted by Authority aforeſaid, That if any Freeman of this Iſland ſhall at any Time hereafter beget a Woman Servant with Child, he ſhall (upon due Proof thereof made, which Proof ſhall be by the Oath of the ſaid Woman, as in other Caſes of Baſtardy) give good Security to ſave the Pariſh harmleſs; and as a further Puniſhment for his Offence, and for and towards Satisfaction of the Maſter or Miſtreſs of ſuch Servant, ſhall forfeit and pay unto

unto the ſaid Maſter or Miſtreſs the full Sum of Twenty Pounds current Money of this Iſland; and ſhall likewiſe provide for the Maintenance of the ſaid Servant and Child; and in caſe of Failure herein, ſhall ſerve the Maſter or Miſtreſs of ſuch Servant double the Time that ſhe had to ſerve at the Time of the Offence committed, or ſhall procure one in his or their Stead that ſhall be obliged ſo to do; and in caſe one Servant ſhall beget another with Child, then the Man-ſervant ſhall, after the Expiration of his Term, ſerve the Maſter or Miſtreſs of the Woman-ſervant double the Time ſhe had to ſerve at the Time of the Offence committed. 1681.

X. THAT any Man-ſervant marrying without the Maſter's or Miſtreſs's Conſent, ſhall ſerve Two Years for ſuch Offence; but if any Freeman ſhall marry a Servant, he ſhall be liable to pay the Maſter or Miſtreſs Twenty Pounds, and ſhe ſhall be free. and on Men-ſervants marrying without Owners Conſent.

XI. THAT all Suits between Servants and their Maſters or Miſtreſſes, relating to their Freedom, ſhall be heard and determined by any two Juſtices of the Peace, without any Appeal; and if any Servants abſent themſelves from their Maſter's or Miſtreſs's Service without Leave, or a Ticket from their Maſter, Miſtreſs, or Overſeer, ſhall, for every ſuch Day's Abſence, ſerve one Week, and ſo in proportion for a longer or ſhorter Time; the whole Puniſhment not to exceed Three Years. Suits between Slaves and their Owners to be determined by Two Juſtices.

XII. THAT if any Perſon ſhall turn away any ſick or infirm Servant, under Pretence of Freedom or otherwiſe, and ſuch Servant ſhall die for want of Relief, or become chargeable to any Pariſh; the Offender ſhall forfeit Twenty Pounds of current Money of this Iſland, to the Uſe of the Pariſh where ſuch Death or Charge ſhall happen; to be recovered by the Church-wardens, by Action of Debt in any Court of Record, unleſs the Party offending ſhall pay the ſame, and alſo receive the ſaid Servant, if living, and him maintain during the whole Time the ſaid Servant had to ſerve; but if any Servant through wilful Miſbehaviour ſhall happen to have the *French Pox*, *Yaws*, or any other Diſeaſe, broken Bones, Bruiſes, Sickneſs, Impediment, or Impriſonment, he or ſhe ſhall ſerve their Maſters or Miſtreſſes double the Time thereby neglected; and alſo for all Charges occaſioned by reaſon thereof, at Ten Shillings *per* Month, after their Time by Indenture or otherwiſe be expired; and alſo Maſters or Miſtreſſes of Servants, who ſhall receive unjuſt Moleſtation by Complaints or Suits of Law, ſhall have the ſame Remedy for their Expences and Loſs of Time. Penalty on Owners turning away their Slaves when ſick.

XIII. THAT no Servant be whipped naked without Order of a Juſtice of Peace, upon Penalty of Five Pounds; to be recovered by the Party injured, by Action of Debt in any Court of Record. Clauſe to prevent Slaves being whipped naked.

XIV. AND whoſoever ſhall not give to each White Servant weekly Four Pounds of good Fleſh, or Four Pounds of good Fiſh, together with ſuch convenient Plantation Proviſion as may be ſufficient, ſhall forfeit to the Party injured Ten Shillings for each Offence. Slaves Proviſion.

XV. AND whoſoever ſhall not yearly give to each Servant-man Three Shirts, Three Pair of Drawers, Three Pair of Shoes, Three Pair of Stockings, and One Hat or Cap, and to the Women proportionably, ſhall forfeit to the Party injured Forty Shillings. Their Cloathing.

XVI. THAT no Maſter, Miſtreſs, or Overſeer, ſhall cauſe or ſuffer any Chriſtian Servant to be buried or interred, until the Body of ſuch Servant ſhall be viewed by a Juſtice of the Peace, Conſtable, or Tythingman, or by Two ſuch Neighbours as the ſaid Juſtice, Conſtable, or Tythingman ſhall chooſe and appoint; on Penalty of Twenty Pounds, current Money of this Iſland, unleſs ſuch Perſon died Ten Miles from the Dwelling of a Juſtice, Conſtable, or Tythingman, and hath been viewed by Two of the next Neighbours, and in Default of Neighbours, by two of the ſame Family; or that the ſaid Juſtice, Conſtable, Tythingman, or Neighbours, have not, within Six Hours after Notice given, come to view the dead Body; and whoſoever, upon Notice given, and Requeſt made, to view ſuch Dead, and ſhall not, within Four Hours after ſuch Notice, repair to the View, or on the View finding any ſuſpicious Tokens of the Body's unlawful Death, ſhall not forthwith give Notice to the Coroner, or in Default of a Co- No Servant to be buried before his Body is viewed.

1681. a Coroner of that Pariſh, to the next Juſtice of the Peace, ſhall forfeit Ten Pounds; which Juſtice, in ſuch Caſes, is hereby impowered to act as Coroner.

Penalty on knowingly entertaining another's Servant.

XVII. That whoſoever ſhall entertain a Servant, knowing the ſame to be ſo, ſhall forfeit for every Day and Night after the firſt, Five Pounds; and not knowing him to be a Servant, Twenty Shillings for every Day and Night after the firſt; ſo that the whole exceed not treble the Value of the Servant's Time remaining to be ſerved with the Maſter or Miſtreſs: Provided, that this Clauſe extend not to Servants by Contract made in this Iſland, but ſuch as are atteſted by a Juſtice of the Peace; nor to ſuch as entertain any that bring a Certificate of their Freedom, atteſted under the Name of a Juſtice of Peace, tho' the ſame be falſe and forged; or for any other Perſon, whoſe Name the Bringer perſonateth; but ſuch Forger, Falſifier, Perſonator, or Bringer, and every one of them, ſhall be ſet in the Pillory, and loſe his Ears, on Conviction thereof in the Supreme Court of Judicature; but whoſoever ſhall entertain a Servant any Time, if the ſaid Servant ſhall be drunk, trade, or game during the ſaid Time, ſhall forfeit the Sum of Twenty Shillings; the one Half to the Pariſh where the Offence ſhall be committed, and the other Half to the Informer; to be levied by a Warrant from any Juſtice of the Peace.

XVIII. And alſo if a Servant, or hired Labourer, ſhall be guilty of hiding or entertaining any Perſon's Servant or Slave, he ſhall forfeit one Year's Service to the Maſter or Miſtreſs of ſuch Servant or Slave, or receive Thirty-nine Laſhes on the naked Back, at the Election of the Party injured; to be ordered by any Juſtice of the Peace to any Conſtable in the Precincts.

Penalty on carrying another's Goods on his Employer's Cattle, &c.

XIX. That no Perſon ſhall ride, load, or carry on his Employer's Horſes, Cattle, Carts, and Carriages, (or willingly ſuffer the ſame to be done) any Goods or Thing whatſoever, other than the Maſter's or Miſtreſs's, without ſuch Maſter or Miſtreſs's Conſent, on Penalty of Three Months Service for each and every ſuch Default.

and on Conſtable neglecting to apprehend Runaways.

XX. And all Conſtables and Tythingmen are to be diligent in apprehending and ſearching for Runaways, on Penalty of Twenty Pounds for every Neglect.

Reward for taking them.

XXI. And upon the apprehending of Runaways, if the Maſter or Miſtreſs be known, the Servant ſhall be carried to the Maſter's or Miſtreſs's neareſt Home, on Penalty of Forty Shillings; if not known, to the next common Gaol, and the Bringer to receive of Maſter, Miſtreſs, or Gaoler, Eight-Pence *per* Mile, ſo as the whole exceed not Forty Shillings; which ſaid Gaoler is hereby impowered and commanded to receive ſuch Runaway or Runaways, and to pay unto the Bringer Eight-Pence *per* Mile, as aforeſaid, for every ſuch Runaway ſo brought to him, on Penalty of Forty Shillings.

Marſhal's Fees.

XXII. And that it ſhall and may be lawful for the Marſhal to detain and keep in Cuſtody the Bodies of all ſuch Runaways ſo brought unto him, until the Maſter or Miſtreſs of them, or their Aſſigns, ſhall pay unto him the full Sum of what he hath ſo paid for them, with Two Shillings Six-Pence *per* Pound for laying out the Money, and ſo proportionably; and alſo Six-Pence for every Twenty-four Hours the ſaid Runaway hath been in his Cuſtody.

Penalty on him if they eſcape.

XXIII. And if the ſaid Marſhal ſhall ſuffer any Runaway ſo brought to him to eſcape before he be duly delivered to his Maſter or Miſtreſs, or his or her Aſſigns, that then the ſaid Marſhal ſhall pay unto the Maſter or Miſtreſs of the ſaid Runaway, ſo much as he ſhall be condemned in by the Verdict of a Jury at Common Law: Alſo any one may take up any ſuſpected Perſons, and carry him or her to any Juſtice to be examined.

Act to be read once a Year.

XXIV. That the Captain, or any other Commiſſion Officer, ſhall, at the Head of every reſpective Company and Troop, publiſh, or cauſe to be publiſhed, this preſent Act once every Twelve Months, under the Penalty of Five Pounds.

Forfeitures how to be diſpoſed of.

XXV. Provided alſo, That the ſeveral Fines, Forfeitures, and Penalties, before mentioned in this Act, and not declared where they ſhall be recovered, and how diſpoſed of, be one Moiety to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and contingent Charges thereof, the other to the Informer; to be recovered by

Action

Action of Debt, (if not exceeding Forty Shillings) as all Penalties of Service, before any Juſtice of the Peace; and if above Forty Shillings, and not for Service, in any Court of Record within this Iſland, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding. 1681.

XXVI. And be it further provided, That no Perſon or Perſons ſhall be ſued, moleſted, or troubled, for any Fine or Forfeiture againſt this preſent Act, unleſs the Party ſo offending ſhall be ſued, or impleaded for the ſame, within Two Years at the moſt after the ſaid Offence ſhall be committed. Limitation of Suits.

An Act for the Highways.

FOR the better amending and keeping clear the common Highways, and known broad Paths within this Iſland, leading to Church and Market, and for laying out new Highways, and turning old Highways, where it ſhall be needful, be it enacted and ordained by the Governor and Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That the Veſtry of each Pariſh, or the major Part of them, ſhall, on every third *Monday* in *January*, before Noon, at their Pariſh Church, or other convenient Place, chuſe Four or more Freeeholders, each ſeiſed of at leaſt Thirty Acres Freehold, in Right of himſelf or Wife, to be Surveyors for the Year enſuing; if the Veſtry neglects, each Perſon abſent or negligent ſhall forfeit Forty Shillings, and the Juſtices, at their next Seſſions being informed thereof, ſhall appoint Four or more ſuch Surveyors as aforeſaid; every Perſon ſo choſen or appointed, ſhall, within Ten Days, (due Notice being given him by the Clerk of the Veſtry) procure himſelf to be ſworn before ſome Juſtice in the ſaid Pariſh, diligently and faithfully to perform the ſaid Office for the Year enſuing, and give a juſt Account to the Juſtices and Veſtry (if required) of what he ſhall receive, pay, or do, by virtue of his Office, on Penalty of Ten Pounds Sterling. Act 3. By whom Surveyors are to be choſen, &c.

II. That the Surveyors being ſworn, as aforeſaid, ſhall, within ſixteen Days after their having viewed and conſidered the Highways and Bridges, inform the Juſtices and Veſtry of the Defects, Wants, and Alterations needful in the ſame, to the End (as they are hereby impowered) the ſaid Juſtices and Veſtry may lay a Tax of ſuch Money, Labour, or other Things, as to them ſhall ſeem convenient and neceſſary; which, if the Juſtices and Veſtry ſhall not do before the laſt Day of *February* in each Year, then ſuch Surveyor ſhall make ſuch Tax in Writing, which being confirmed by any Two Juſtices in the ſaid Pariſh, ſhall ſtand good till ſome Complaint be made at the Quarter Seſſions in that Pariſh, and the Juſtices then and there to confirm or alter the ſame, without Appeal from thence. their Duty, &c.

III. That the Highways be ſixty Foot wide in ſtanding Wood, forty Foot where the Wood is only on one Side, and twenty-four Foot in open Ground; and that the Surveyors have Power to cut down, dig up, or remove, as well all Sorts of Trees, Buſhes, Prickle, Fences, Rails, Gates, or Incloſures, or other Thing or Things, as may any ways ſtraiten, hurt, hinder, or incommode the Highways; as alſo to dig for Stone or Gravel, Clay, Marl, Sand, or Earth, in any Land not planted or incloſed, as Yard or Garden to a Houſe, or to preſs any Cart, Carriage, Workman, or other Thing, fit to be employed in the Highways, for ſuch reaſonable Satisfaction to the Parties concerned as ſuch Surveyor can agree for; and in caſe of Diſagreement, ſuch as the next or any Juſtice in the Pariſh ſhall appoint. Dimenſions of the Highways.

IV. Provided nevertheleſs, That where Gates are or ſhall be erected, of at leaſt Ten Foot between Poſt and Poſt, or the Highway ſtraitened, by Incloſure on both Sides, but the Way ſo well kept by Cauſeway or otherwiſe, that two Carriages may meet and paſs each other, and the Ground as firm as is neceſſary, then the ſaid Surveyors ſhall forbear to pull down or remove ſuch Gates or Fences; any thing herein ſeeming to the contrary notwithſtanding: But if any Perſon ſhall again erect or cauſe any Nuſance in the Highways, which was by the Surveyor removed, for ſuch Offence he or they ſhall forfeit Five Pounds. Exception.

1681. V. And in caſe where a new Path or Road is wanting, or where old Ways may, with more Conveniency, be turned or altered, or where to ſome Plantation or Plantations no Highways are yet laid out, to lead them into the high Roads which go towards the Market or Church, or to any convenient Harbour or Landing-place, fitting for receiving aſhore or ſhipping off any Goods; upon Notice thereof given to any Juſtice of the Peace, he ſhall, on Requeſt, iſſue his Warrant to the next Conſtable in the ſaid Pariſh, to ſummon a Jury to meet at ſome convenient Place and Day therein to be mentioned, to view and lay out, or alter ſuch Paths or Roads; which ſaid Juſtice is hereby impowered to adminiſter an Oath to the ſaid Jury, that, according to the beſt of their Skills and Judgments, and with moſt Conveniency to the Public, and leaſt Prejudice or Damage to any particular Perſon, they will lay out ſuch Way; which having done, the Surveyor is to make Return thereof to the Juſtices at the next Quarter Seſſions of the Pariſh where the ſame Way is, as well under his own, as the Hand of the Jurors, by whoſe Oath the ſame is laid out, to the end the ſame may be there filed and recorded, and after known for a public Highway: And if the ſaid Surveyor ſhall neglect his Duty therein, he ſhall forfeit Twenty Pounds.

Juſtice to order Conſtable to ſummon a Jury to view and lay out Paths, &c.

Veſtry may agree with Perſons for 2 Years for what Work they are to do.

VI. And be it further enacted, That every Veſtry, with Conſent of the Juſtices, may agree for Two Years with particular Perſons for their Parts and Proportion of the Ways by them to be cleared, as alſo with the Surveyors, what Part of the Pariſh they ſhall look after; and ſuch Agreements ſhall diſcharge the Parties from other Duties than what is agreed for, as alſo the Surveyor from looking after any other Part than what is allotted him; and ſuch Juſtices and Veſtrymen are to record all their Doings, touching the Ways, in the Veſtry Book; which Record in all Places ſhall be deemed good Evidence.

Penalty on Perſons not ſending in their Proportion of Workmen,

VII. And the ſaid Surveyors may reſpectively iſſue their Warrants to the Conſtable or Tythingmen, to warn in Workers, or to levy Money, according to the Tax or Rate made as aforeſaid; and whoſoever ſhall fail to ſend in his Proportion of Workers, with ſuch Tools as ſhall be convenient, ſhall for every Head pay Three Shillings *per* Day, upon Conviction; to be recovered before any Juſtice of the Peace by the Surveyor.

and on Juſtice neglecting his Duty.

VIII. And if any Juſtice neglect his Duty touching the Premiſſes, or any Part thereof, he ſhall forfeit Ten Pounds; and every Veſtryman, Surveyor, Conſtable, Tythingman, Juror, or Clerk of the Veſtry, who ſhall neglect his or their Duty, where no Penalty is before ſet, ſhall reſpectively forfeit Five Pounds for each Offence.

Diſpoſition of Forfeitures.

IX. All which ſaid Forfeitures ſhall be to the Uſe of the Highways; and, if not exceeding Forty Shillings, to be recovered by Action of Debt before any Juſtice of the Peace; if above Forty Shillings, in any Court of Record, where no Eſſoin, Protection, or Wager of Law ſhall be allowed.

An Act appointing the Prices of Meat.

Act 4. Be it enacted and ordained by the Governor, Council, and Aſſembly, and it is hereby enacted by the Authority of the ſame, That no Perſon or Perſons, upon any Pretence whatſoever, ſhall preſume to aſk, demand, and receive for freſh Beef, Mutton, or Goat, any more, greater or higher Rate or Price than hereafter is mentioned, *viz.* For freſh Beef or Goat, Four-Pence *per* Pound; and Mutton, Six-Pence; to be weighed without the Heads, Entrails, or Feet; and that the Suet be ſold at no higher Rates than the Meats aforeſaid, under Penalty of forfeiting Twenty Pounds, current Money of this Iſland, for every time they ſhall take, aſk, or receive any higher Price: And if any Perſon or Perſons ſhall refuſe to ſell any Beef, Mutton, or Goat by Weight, he or they, for every ſuch Offence, ſhall forfeit Twenty Pounds, current Money of this Iſland.

Prices of Proviſions.

Penalty on Perſons deſtroying Turtle Neſts or Eggs.

II. And be it further enacted by the Authority aforeſaid, That any Perſon whatſoever that ſhall deſtroy any Turtle Neſts, or take away any of the Eggs thereof, upon any Bay or Place within this Iſland, where the Turtle ſhall lay, ſhall forfeit Forty Shillings, current Money of this Iſland, or receive ſo many Laſhes on the bare Back as any Juſtice ſhall order, not exceeding Nine and Thirty, for every ſuch Offence.

III. The

1681.

III. THE one Third Part of all the aforeſaid penal Sums of Money ſhall be to our Sovereign Lord the King, his Heirs and Suceſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; one Third to the Church-wardens, for the Uſe of the Pariſh; the other Third to the Informer; to be recovered in any Court of Record within this Iſland, by Bill, Plaint, or Information, in which no Eſſoin, Wager of Law, or Protection ſhall be allowed.

Application of Penal Forfeitures.

An Act againſt Blaſphemy; and for preventing Diſorders in Ale-houſes, Taverns, and Victualling-Houſes.

ACT 5.

BE it enacted and ordained by the Governor, Council, and Aſſembly, and it is enacted and ordained by the Authority of the ſame, That no Perſon or Perſons whatſoever in this Iſland be enabled to have and receive any Licence or Licences from the Governor for the Time being, to retail any Strong Liquors, unleſs they bring yearly Certificates under the Hands of Two of the Juſtices of the Peace, living in the ſame Precincts where the ſame Perſon keeps, or intends to ſet up his Houſe of Entertainment; and have alſo given good Security in the Secretary's Office of One Hundred Pounds, that he ſhall ſuffer no Diſorders to be committed in his ſaid Houſe, or any Thing there done contrary to the Laws of *England*, or of this Iſland.

No Licences to be granted for ſelling Liquors without Security given to ſuffer no Diſorders in his Houſe, &c.

II. AND that no Perſons whatſoever preſume to ſell *Rum*, or *Rum-Punch*, or any other Mixture of *Rum*, without Licence firſt obtained from the Juſtices in Seſſions, and Security given to the Clerk of the Peace of the ſaid Precincts, under the Penalty of Forty Shillings for every ſuch Offence.

III. PROVIDED always, and it is hereby further enacted and ordained, That whatſoever Perſon, ſo licenſed as aforeſaid, ſhall entertain or receive any one in their Houſes to tipple or drink in the Time of *Divine Worſhip*, or Service, ſhall forfeit Twenty Shillings for every ſuch Offence; and the Perſon or Perſons there ſo found, ſhall pay each of them Five Shillings; both which Forfeitures ſhall be levied by Diſtreſs, by Warrant from any Juſtice of the Peace within this Iſland.

Penalty on permitting Tippling in Time of Divine Service,

IV. AND whoſoever ſhall, by public and open Profaneneſs or Blaſphemy, diſhonour Almighty God, and be thereof duly convicted in the ſupreme Court of Judicature, ſhall be fined Twenty Pounds, current Money of this Iſland, or more, at the Diſcretion of the Court, for every ſuch Offence; and that ſuch as are either Servants, or not worth ſo much, ſhall be liable to ſuch corporal Puniſhment as the Judges ſhall think meet, Loſs of Life and Limb only excepted.

and on Blaſpheming,

V. AND it is farther enacted, That if any of the ſaid Perſons ſo having received Licences as aforeſaid, ſhall keep or ſuffer any common Gaming in their Houſes, they ſhall forfeit Ten Pounds current Money of this Iſland: and whoſoever ſhall by falſe Dice, or other Fraud or Deceit, win any Money or other Things, ſhall forfeit treble the Value thereof, being convicted by Verdict, Confeſſion, or otherwiſe; and that no Sum exceeding Forty Shillings, won at any Game, or betting on the Side of any, ſhall be recoverable; and all Bonds, Contracts, and Securities whatſoever, for above the Sum aforeſaid, won as aforeſaid, ſhall be void.

and common Gaming, &c.

VI. PROVIDED nevertheleſs, that nothing herein contained, ſhall be deemed or conſtrued to hinder or abridge any Maker of *Rum*, but that by himſelf, Servants, or others, he may vend and ſell the ſame pure and unmixed; any Thing in this Act to the contrary in any wiſe notwithſtanding.

Rum Makers excepted out of this Act.

VII. PROVIDED alſo, that the aforeſaid Penalties, mentioned in this Act, and not declared where they ſhall be recovered, or how diſpoſed of, be one Half to our Sovereign Lord the King, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; the other to the Informer, who ſhall ſue for the ſame in any Court of Record within this Iſland, wherein no Eſſoin, Protection, Injunction, or Wager of Law ſhall be allowed.

Penalties how to be diſpoſed of.

An

1681. *An Act impowering Juſtices of the Peace to decide Differences not exceeding Forty Shillings.*

Act 6. WHEREAS many Inconveniencies may ariſe unto the Inhabitants of this Iſland, by being vexed and troubled with Suits at Law for ſmall and trivial Injuries, Debts, and Treſpaſſes, wherein the accuſtomary Fees and Charges uſually exceed the original Debt and Damages; for Prevention whereof, be it enacted and ordained by the Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That all Manner of Debts, Treſpaſſes, and other Matters, not exceeding the Value of Forty Shillings, wherein Titles of Lands are not concerned, ſhall and may be heard, adjudged, and determined by any of his Majeſty's Juſtices of the Peace of this Iſland, within their reſpective Precincts, without Appeal; which ſaid Juſtices are hereby required, upon Complaint made, to grant a Warrant or Summons againſt the Perſon complained of, thereby requiring him to appear and anſwer the ſaid Complaint; and in caſe of Non-appearance, to iſſue out a Warrant of Contempt, directed to the Conſtable, to bring the Contemnor before him, as well to anſwer the ſaid Contempt as the Plaintiff's Action; and may, if he ſee Cauſe, fine the Contemnor, provided the ſaid Fine exceed not Ten Shillings, to be for the Uſe of the Pariſh where ſuch Offence ſhall be committed; and after Judgment given in either Caſe, may grant a Warrant of Diſtreſs, directed to the Conſtable, to levy the ſaid Fine, Debt, Damages, and Charges upon the Defendant's Goods and Chattels, who by virtue thereof, ſhall expoſe the ſame to Sale, returning the Overplus, if any be, to the Defendant; and for want of ſuch Diſtreſs, to take the Defendant's Body into Cuſtody, and him carry and convey to the common Gaol of the Precincts, there to remain till he ſhall have ſatisfied the ſaid Debt and Charges.

Debts, &c. not exceeding 40 s. ſhall be determined by the Juſtices.

The Fees of the Juſtice and Conſtable.

II. And it ſhall be lawful for the Juſtice of Peace to receive for each Warrant One Shilling and Three-Pence, and no more; and for the Conſtable for ſerving of each Warrant, the like Sum, together with Sixpence for each Mile he ſhall be compelled to travel in Execution of the Premiſſes, provided the whole exceed not Five Shillings; and the Juſtice is hereby required to keep a Record of all ſuch Proceedings, under the Penalty of Ten Shillings; the one Half to be for the Poor of the Pariſh, and the other Half to the Informer; to be recovered as aforeſaid.

Confirmation of Judgments formerly given, &c.

III. And whereas the Uncertainty of the Expiration of Laws, heretofore made for the better Government of this his Majeſty's Iſland, may hereafter create ſome Doubts and Diſputes concerning the Validity of the ſeveral Judgments made and given by the ſeveral Judges and Juſtices of the Peace within this Iſland, as alſo all the Proceedings of the Military Officers upon the ſame; for Prevention whereof, be it further enacted and ordained by the Authority aforeſaid, That all and every Judgment or Judgments made or given by any of the Judges or Juſtices of the Peace within this his Majeſty's Iſland, upon or by virtue of any of the aforeſaid Laws, and all other Proceedings whatſoever, and all and every Act or Acts, Thing or Things, done or acted thereupon, are hereby ratified, confirmed, and adjudged valid and lawful, to all Intents and Purpoſes whatſoever; and all and every Judge and Judges of the ſeveral Courts, the ſeveral Juſtices of the Peace, the Military Officers, and all other Perſons whatſoever within this his Majeſty's Iſland, that have any ways acted by or under the Authority of the aforeſaid Laws, or any of them, are hereby for ever ſaved and kept harmleſs, and indemnified againſt all manner of Perſons whatſoever; and if any Perſon ſhall be ſued, or any ways moleſted by reaſon thereof, it ſhall be lawful for him or them ſo ſued or moleſted to plead the general Iſſue, and give this Act in Evidence; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

An Act rating Liquors ſold by Retale. 1681.

ACT 7.

BE it enacted and ordained, by the Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That from and after Publication hereof, all Vintners and Tavern-keepers, or any other Perſon or Perſons, who do, or ſhall utter or ſell, by way of Retale, *Madeira* Wine or *Brandy*, and ſhall preſume by any Means, directly or indirectly, to take or receive above the Rates hereafter mentioned for the aforeſaid Liquors, *viz.* For *Madeira* Wine, Fifteen-Pence the Quart; and *Brandy*, Two Shillings and Six-Pence the Quart, and ſo proportionably for a greater or leſſer Quantity, ſhall forfeit the Sum of Forty Shillings for every ſuch Offence; to be levied by Warrant from any of his Majeſty's Juſtices of the Peace of the Precincts where the Fault is committed, on the Goods and Chattels of any Perſon or Perſons ſo offending; the one Half of which Forfeiture ſhall be to the Church-wardens, for the Uſe of the Pariſh, the other to the Informer; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Prices of *Madeira* Wine and *Brandy*.

An Act for the reſtraining and puniſhing Privateers and Pirates.

ACT 8.

WHEREAS nothing can more contribute to his Sacred Majeſty's Honour, than that ſuch Articles as are concluded and agreed on in all Treaties of Peace, ſhould by all his Majeſty's Subjects, according to their Duty, be moſt inviolably preſerved and kept in and over all his Majeſty's Dominions and Territories; and whereas, not only againſt ſuch Treaties of Peace made by his Majeſty with his Allies, but alſo contrary to his Majeſty's Royal Proclamation, ſeveral of his Subjects have, and do continually go off from this his Majeſty's Iſland of *Jamaica* into foreign Princes Services, and ſail under their Commiſſions, contrary to their Duty and good Allegiance, and by fair Means cannot be reſtrained from ſo doing; be it therefore enacted by the Governor, Council, and Aſſembly, and it is hereby enacted by the Authority of the ſame, That from and after Publication hereof, it ſhall be Felony for any Perſon which now doth, or within four Years laſt paſt heretofore hath, or hereafter ſhall inhabit or belong to this Iſland, to ſerve in *America* in any hoſtile Manner, under any foreign Prince, State, or Potentate, or any employed under any of them againſt any other foreign Prince, State, or Potentate, in Amity with his Majeſty of *Great-Britain*, without ſpecial Licence for ſo doing, under the Hand and Seal of the Governor or Commander in Chief of this Iſland for the Time being; and that all and every ſuch Offender or Offenders, contrary to the true Intent of this Act, being thereof duly convicted in his Majeſty's ſupreme Court of Judicature within this Iſland, to which Court Authority is hereby given to hear and determine the ſame, as other Caſes of Felony, ſhall ſuffer Pains of Death, without Benefit of the Clergy.

Puniſhment of Perſons ſerving under any foreign State, without Licence.

II. PROVIDED nevertheleſs, That this Act, nor any Thing therein contained, ſhall extend to any Perſon or Perſons which now are, or have been, in the Service or Employment of any foreign Prince, State, or Potentate whatſoever, that ſhall return to this Iſland, and leave and deſert ſuch Service and Employment before the Firſt Day of *January* next enſuing, rendering themſelves to the Governor or Commander in chief for the Time being, and give him ſuch Security as he ſhall appoint for their future good Behaviour; and alſo, that they ſhall not depart this Iſland without the Governor's Ticket.

Exception.

III. AND for the better and more ſpeedy Execution of Juſtice upon ſuch who have committed Treaſon, Piracies, Felonies, and other Offences upon the Sea, ſhall be apprehended in, or brought Priſoners to this Iſland, be it further enacted by the Authority aforeſaid, That all Treaſons, Felonies, Piracies, Robberies, Murders, or Confederacies committed, or that hereafter ſhall be committed upon the Sea, or in any Haven, Creek, or Bay, where the Admiral hath Juriſdiction, ſhall be enquired, tried, heard, determined, and judged within this Iſland, in

How Treaſons, &c. ſhall be puniſhed;

1681. ſuch like Form, as if ſuch Offence had been committed in and upon the Land; and to that End and Purpoſe Commiſſions ſhall be had under the King's Great Seal of this Iſland, directed to the Judge or Judges of the Admiralty of this Iſland for the Time being, and to ſuch other ſubſtantial Perſons, as by his Majeſty's Governor or Commander in Chief of this Iſland for the Time being ſhall be named or appointed; which ſaid Commiſſioners, or ſuch a *Quorum* of them as by ſuch Commiſſion ſhall be thereunto authorized, ſhall have full Power to do all Things in and about the Enquiry, Hearing, Determining, Adjudging, and Puniſhing of any of the Crimes and Offences aforeſaid, as any Commiſſioners to be appointed by Commiſſion under the Great Seal of *England*, by virtue of a Statute made in the Twenty-eight Year of the Reign of King *Henry* the Eighth, are impowered to do and execute within the Kingdom of *England*; and that the ſaid Offenders, which are or ſhall be apprehended in, or brought Priſoners to this Iſland, ſhall be liable to ſuch Order, Proceſs, Judgments and Execution, by Virtue of ſuch Commiſſion to be grounded upon this Act, as might be awarded or given againſt them, if they were proceeded againſt within the Realm of *England*, by virtue of any Commiſſion grounded upon the ſaid Statute.

and all former Trials had upon them are hereby confirmed.

IV. And all Trials heretofore had againſt ſuch Criminal or Criminals before any Judge or Judges, by virtue of ſuch Commiſſion or Authority at any Time heretofore granted, and all Proceedings thereupon, are hereby ratified, confirmed and adjudged lawful; and all ſuch Judges, with all and every the inferior Officers that have acted thereby, are hereby indemnified to all Intents and Purpoſes whatſoever; and in caſe they, or any of them, ſhall at any Time hereafter be ſued, vexed, moleſted, or troubled for any ſuch their Proceedings as aforeſaid, he or they ſo ſued, vexed, or moleſted, ſhall plead the General Iſſue, and give this Act in Evidence; any Law, Statute, Cuſtom or Uſage to the contrary in any wiſe notwithſtanding.

Commiſſion-Officers are to apprehend Pirates, &c.

V. Be it further enacted by the Authority aforeſaid, That all Commiſſion-Officers, in their ſeveral Precincts within this Iſland, are hereby required and impowered, upon his or their Knowledge, or Notice given, that any Privateers, Pirates, or other Perſons ſuſpected to be upon any unlawful Deſign, are in any Place within their reſpective Precincts, to raiſe and levy ſuch a Number of well-armed Men, as he or they ſhall think needful, for the ſeizing, apprehending, and carrying to Gaol all and every ſuch Perſon or Perſons; and in caſe of any Reſiſtance or Refuſal to yield Obedience to His Majeſty's Authority, it ſhall be lawful to kill or deſtroy ſuch Perſon or Perſons; and all and every Perſon or Perſons that ſhall oppoſe or reſiſt, by ſtriking or firing upon any of the commanded Parties, ſhall be deemed, taken, and adjudged as Felons, without Benefit of the Clergy; and every ſuch Officer that ſhall omit or neglect his Duty herein, ſhall forfeit Fifty Pounds, current Money of this Iſland, for every ſuch Offence; to be recovered in any of His Majeſty's Courts of Record within this Iſland, by Bill, Plaint, or Information, wherein no Eſſoin, Wager of Law, or Protection ſhall be allowed; one Moiety thereof to be to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Moiety to the Informer; and all and every Perſon or Perſons that, upon Orders given him or them, ſhall refuſe to repair immediately with his or their Arms well fixed, and Ammunition, to ſuch Place or Places as ſhall be appointed by the ſaid Officer, and not readily obey his Commands in the Execution of the Premiſſes, ſhall be liable to ſuch Fine, or corporal Puniſhment, as by a Regimental Court-Marſhal ſhall be thought fit.

Penalty on their Neglect of Duty.

Governor's Aſſent to this Act not to determine this Aſſembly.

VI. Provided further, That the Governor's Aſſent to the paſſing of this or any other Act, ſhall not extend, or be conſtrued to extend, to the determining of this preſent Seſſions of the Aſſembly.

An

An Act for preventing Damages in Plantations, preſerving of Cattle, and regulating Hunting. 1681.

ACT 9.

How Plantations ſhall be fenced in,

BE it enacted by the Governor, Council, and Aſſembly, and it is hereby enacted by the Authority of the ſame, That all Plantations bounding on *Savannas*, Highways, Watering-places, and all Paſtures made out of Wood-land, ſhall make ſufficient Fences; which ſufficient Fences ſhall be judged by Oath of Three Freeholders before any One of his Majeſty's Juſtices of the Peace; which ſaid Freeholders ſhall be choſen, one by the Party grieved, the other by the Owner of the Cattle, and the other by the Juſtice of the Peace; and if either of them do not appear, or refuſe to make their Choice, that then in ſuch Caſe the Juſtice ſhall name Two; and what Damage ſhall be done by any Stock in any Plantation ſo fenced as aforeſaid, the ſaid Damage to be appraiſed upon the Oath of the ſaid Freeholders, and the Owners of the ſaid Stock ſhall pay double the Damage ſo committed or done by their Cattle, Proof being made appear by the Oath of one or more; to be recovered before any Juſtice of the Peace, if not exceeding Forty Shillings; if above, in any Court of Record by Action of Debt.

and the Owners of them ſatisfied, if Cattle break into them.

Penalty on Perſons killing Cattle, &c.

II. AND it is further enacted and provided by the Authority aforeſaid, That no Perſon or Perſons whatſoever ſhall kill or deſtroy any Cattle, Horſe, Mare, Mule, or Aſinego; but he, ſhe, or they, who ſhall kill or deſtroy any of the aforementioned Stock, ſhall forfeit for each they ſhall kill or deſtroy the Sum of Fifteen Pounds current Money; to be recovered by Action of Debt in any Court of Record within this Iſland, by the Owner or Proprietor of the ſaid Beaſt.

The Number of White Servants to be kept by Owners of Neat Cattle.

III. AND it is further enacted by the Authority aforeſaid, That all Owners of Neat Cattle ſhall keep one White Man at each reſpective Pen; and at all Pens whereunto belong above Two hundred Cattle, the Owner of ſuch Pen ſhall keep Two White Men, upon Pain of forfeiting Ten Pounds for every White Man that ſhall be wanting, as before, for the Space of Three Months; to be recovered in any Court of Record by Action of Debt; the one Half to the Pariſh, for the Uſe of the Poor; the other Moiety to the Informer, or him that ſues for the ſame.

Penalty on Perſons not penning their Cattle once in three Nights.

IV. AND it is further enacted by the Authority aforeſaid, That all Perſons and Owners of Cattle that ſhall fail to pen their Cattle once in Three Nights, at the leaſt, that all ſuch Cattle doing Damages, ſhall pay double the Damage; to be recovered as aforeſaid.

To whom ſtray Cattle ſhall belong, if not claimed in one Year.

V. AND it is further enacted by the Authority aforeſaid, That all Strays of any Sort of Cattle, wherever they ſhall be found and taken up, ſhall belong to the Proprietor of the Ground where they are accuſtomed to feed, provided the ſaid Proprietor cauſe the ſaid Stray or Strays to be cried by the common Cryer Three diſtinct Court Days in the Court of the ſaid Precinct, deſcribing all the Marks of the ſaid Stray, with the Age and Kind. And further, That the ſaid Proprietors do turn looſe again the ſaid Stray, to continue in the ſame Feeding-Ground where the ſame was accuſtomed to feed, and tying a Withe about the Neck of the ſaid Stray (which ſhall be a common Mark for Strays) and in that Manner to continue One whole Year from the firſt taking up or penning of the ſame. Provided further, That if in the mean Time no Perſon ſhall challenge or claim the ſame, that then the Property of ſuch Strays remain to the Proprietor of the Ground, as before, they giving Satisfaction for taking up the ſaid Stray. Provided always, That this Act extend not to any ear-marked or burnt-marked Beaſt, Horſe, Mare, Colt, or any other Sort of Cattle, but all ſuch ſhall belong to the Owners or Proprietors of the ſame, if claimed at any Time after the Expiration of the Year.

Exception.

All Cattle to be tolled at the Time of Sale.

VI. IT is further enacted by the Authority aforeſaid, That the Clerks of each reſpective Court of Record in this Iſland are hereby impowered to make Entry, and toll any Sort of Cattle that ſhall be ſold from one Perſon to another, taking as near Deſcription of the ſeveral Marks, natural or otherwiſe, as can be, and vouched by Two ſufficient Perſons known by the Clerk; which Entry or Toll ſhall be good againſt any former Sale or Bargain, or any other Title whatſoever, except in all ſuch Caſes where the Provoſt Marſhal, or his Deputy, hath levied the

1681. the ſame by Execution; and the Clerk of the ſaid Court ſhall take Twelve Pence for each ſuch Entry, and for keeping a Record of the ſame, and no more.

Penalty on Perſons ſmoaking in Plantations,

VII. And it is further enacted by the Authority aforeſaid, That no Perſon whatſoever ſhall preſume to carry any Fire, or ſmoak Tobacco in any *Savanna* or Plantation, or Highways whatſoever, under the Penalty of Ten Shillings for each Time they ſhall ſo offend, and be further liable to pay all Damages that ſhall accrue to any Perſon or Perſons by Means of the ſame, to be recovered (if not exceeding Forty Shillings) before any Juſtice of the Peace; if exceeding Forty Shillings, by Action of Debt in any Court of Record within this Iſland; and if the Perſon ſo offending be not able to make Satisfaction, then the ſaid Perſon ſhall be whipped for every ſuch Offence, at the Diſcretion of any One Juſtice of the Peace. Provided, That this Clauſe extend not to Owners of Land, to carry Fire in their own Plantations, or burn their own *Savanna*; yet to be liable, as before, if thereby they injure or burn any other Perſons *Savannas* or Plantations; and that all Penalties for carrying of Fire ſhall belong to the Perſon that ſues for the ſame.

and on Perſons cauſing Mares to caſt their Young, &c.

VIII. And whereas it is found by Experience, that ſeveral Common-drivers of Cattle, or Horſe-catchers, do frequently ride and drive Gangs of Mares and other Cattle from off their own Feeding-Ground or Paſture, whereby thoſe that are big caſt their Young, and young ones are often ſeparated from their Dams; and do likewiſe often deface the Marks of ſuch Cattle and Horſes, or new mark them for themſelves or others with wrong Marks, to the great Damage of all ſuch Proprietors; for Prevention whereof, be it further enacted by the Authority aforeſaid, That no Perſon or Perſons whatſoever ſhall hereafter preſume to drive or ride in any *Savanna* as a common Horſe-catcher after any Horſes or Mares, without having firſt given Security for their Honeſty, and obtained Leave from the Proprietor or Proprietors of ſuch *Savannas*, or the major Part of them, under the Penalty of Twenty Pounds, to be recovered as aforeſaid; one Third Part whereof ſhall be to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges of the ſame; one Third Part to the Proprietor or Proprietors of ſuch *Savannas*, where the Offence ſhall be committed; the remaining Third to the Informer, or he that ſhall ſue for the ſame.

Penalty on ſelling Horſes without two Vouchers, that he bred them, &c.

IX. And it is further enacted by the Authority aforeſaid, That if any ſuch Common-driver or Horſe-catcher, or any other Perſon employed by or for him or them, ſhall preſume to ſell or barter any Horſe, Mare or Colt, or other Cattle, but ſuch as he ſhall bring Two ſufficient Freeholders of the Place where he doth inhabit, or other good ſufficient Evidence to vouch before the Clerk of ſome Court of Record within the Precincts where they ſhall be ſold or bartered as aforeſaid, that he bred them, or otherwiſe came lawfully poſſeſſed of them, under the Penalty of Fifty Pounds, to be recovered and diſpoſed of as aforeſaid. And whoſoever ſhall buy, barter or bargain with any ſuch known Horſe-catcher or Driver for any Cattle or Horſes, without the ſame be firſt vouched as aforeſaid, he, ſhe, or they ſo offending, ſhall for every ſuch Offence forfeit and pay the Sum of Twenty Pounds, to be recovered and diſpoſed of as aforeſaid.

or putting a falſe Mark on them;

X. And it is further enacted by the Authority aforeſaid, That if any Driver or Horſe-catcher ſhall at any Time hereafter fraudulently or deſignedly put any falſe Burnt-mark, Ear-mark, or any other Marks, or deface any old Mark, he or they ſhall for ſuch Offence be guilty of Felony.

and on ſuffering Goats to feed on another's Land.

XI. It is further enacted by the Authority aforeſaid, That no Perſon or Perſons that are Keepers or Owners of Goats, ſhall ſuffer their Goats to feed in any Perſon's Land except their own; and if any do ſuffer the ſame to feed in any Perſon's Land, it ſhall be deemed Treſpaſs, and the Owner of the Land ſhall recover in any Court of Record full Coſts of Suit in the ſaid Action, beſides what Damage ſhall be given by the Jury.

Penalty on Huntingwithout a Qualification,

XII. Be it further enacted by the Authority aforeſaid, That no Perſon whatſoever ſhall be capable of Hunting with any Gang of Dogs in this Iſland that is not a Planter in it, and hath not at leaſt Five Acres of Land planted; and that any Perſon that ſhall preſume to hunt any Gang of Dogs within this Iſland, being not qualified as aforeſaid, ſhall forfeit for every ſuch Offence his Gang of Dogs, and

and the Sum of Ten Pounds *Sterling*, to be recovered in any Court of Record within this Iſland by Bill, Plaint, or Information; the one Moiety or Half Part of all ſuch Forfeitures ſhall be to our Sovereign Lord the King, his Heirs and Succeſſors, for the Support of the Government and contingent Charges thereof; and the other Moiety ſhall be to the Informer, or any Perſon that ſhall ſue for the ſame. 1681.

XIII. AND it ſhall not be lawful for any Planter or Planters in this Iſland to own any Hunting Gang of Dogs which ſhall not properly belong to themſelves, their Mates in Planting, or hunted by their Servants, under the Penalty of Ten Pounds *Sterling* for each Time he or they ſhall ſo offend; to be recovered in Manner and Form aforeſaid, and to be diſpoſed of as aforeſaid. or owning a Gang of Dogs which does not belong to him.

XIV. AND it is further enacted and ordained by the Authority aforeſaid, That if any Hunting Gang of Dogs ſhall kill or maim any tame Stock belonging to any Planter or Perſon whatſoever, or do him or them any Prejudice or Damage, the Party ſo damnified, if the Damage amount to not above Forty Shillings, Satisfaction for the ſame ſhall be recovered by Warrant from any Juſtice of the Peace; but if it amount to more than Forty Shillings, the Perſon or Perſons ſo injured ſhall ſue for the ſame at Common Law. Tame Stock killed by Dogs ſhall be paid for by the Owners of them.

XV. AND if any Perſon ſhall kill or maim any Manner of tame Stock, as Sheep, Hogs, or Goats, either by Hunting or otherwiſe, and ſhall not forthwith diſcover the ſame to the next Juſtice or Conſtable, to the end the Damage may be known and recovered, as aforeſaid, ſuch Offender killing, maiming, or injuring any ſuch tame Stock, and not diſcovering it, as aforeſaid, ſhall pay Five Pounds for every Default, beſides Damages; to be recovered by the Party injured in any Court of Record. Penalty on Perſons killing tame Stock;

XVI. IT is further enacted and ordained by the Authority aforeſaid, That no Perſon whatſoever ſhall hunt any Gang of Dogs within Four Miles of any Crawl or Settlement (except in his own Land, or Leave from the Proprietor of the ſame) upon Pain of Ten Pounds *Sterling*; and that no Perſon or Perſons whatſoever ſhall ſet any Snare or Engine in any Place whatſoever (his planted Ground only excepted) under Penalty of Forty Shillings for every Time any Perſon ſhall ſo offend in either of the Premiſſes; to be recovered as aforeſaid, and diſpoſed of as aforeſaid, and to pay all other Damages that ſhall accrue by the ſame. or hunting within 4 Miles of any Settlement, except his own.

An Act for regiſtering of Deeds and Patents.

ACT 10.

BE it enacted by the Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That a Deed in due Form of Law made, and within Three Months after the Date thereof acknowledged by the Party or Parties that grant the ſame, or proved by the Oath of One ſufficient Witneſs, or more, before the Governor or ſome One of the Judges of the Courts of this Iſland, and the ſame recorded at Length in the Office of Enrolments (which ſaid Office ſhall always be kept at St. *Jago de la Vega)* within the ſaid Three Months, ſhall be valid to paſs the ſame without Livery, Seiſin, Attornment, or any other Act or Ceremony in the Law whatſoever; and that no Deed hereafter made without ſuch Acknowledgment, or Proof and Enrolment, ſhall be ſufficient to paſs away any Freehold or Inheritance, or to grant any Leaſe for above the Space of Three Years. Deeds enrolled within three Months after executed, ſhall be valid, &c.

II. PROVIDED nevertheleſs, That any old Deeds or Conveyances heretofore made on Lands or Houſes, and omitted to be recorded upon being acknowledged or proved, and at any Time after the making hereof recorded in the ſaid Office of Enrolments, ſhall be effectually valid and of Force; but if it ſhall happen that any ſecond Bill of Sale or Conveyance for a valuable Conſideration be made by the ſaid Vendor or his Heirs for the ſame Land or Houſes, or any Part thereof, and the ſame be duly executed and recorded, then it is hereby declared, that the laſt Vendee ſhall have and enjoy the ſaid Land or Houſes; any thing in this Proviſo or otherwiſe to the contrary notwithſtanding. Exception.

III. AND if any Vendee hath omitted to execute and enrol his Deed within the Time as aforeſaid, but ſhall at any Time afterwards have done the ſame, no ſecond Clauſe in Favour of Vendees.

1681. cond Sale being made by the firſt Vendor, his Heirs or Executors, the ſame ſhall nevertheleſs be good to the ſaid Vendee, his Heirs and Executors, and a perpetual Bar againſt the firſt Vendor, his Heirs and Executors; any thing in this Act, or any other, to the contrary notwithſtanding.

Deeds executed out of this Iſland, being properly atteſted, ſhall be as valid as if executed here.

IV. And be it further enacted by the Authority aforeſaid, That all Deeds and Conveyances granted and made out of this Iſland and remitted hither, being proved before the Governor, or any of the Judges of the Courts of Common-Pleas, as aforeſaid; and all thoſe Deeds and Conveyances where any Granter or Conveyancer ſhall perſonally appear in his Majeſty's Court held before the Lord Mayor and Aldermen of the City of *London* for the Time being, and ſhall then and there own and acknowledge ſuch Deed, Grant or Conveyance to be his Act and Deed, and an Atteſt thereof be made under the Seal of the Mayoralty of the ſaid City, and the ſame be recorded in the aforeſaid Office within Six Months of the Arrival of the Ship that brought the ſame, ſhall, to all Intents and Purpoſes whatſoever, be as valid as if the ſaid Deeds or Conveyances had been here made, acknowledged, proved and recorded according to the Form and Time herein before appointed.

Exception.

V. Provided nevertheleſs, That if any Perſon here lawfully impowered ſhall, in purſuance of that Power, make Sale of any Lands or Freehold to any Perſon whatſoever within this Iſland, and the Deeds thereof be duly proved and recorded, according to the true Meaning of this Act, before any Conveyance from the Proprietor or Proprietors of the ſame Land or Freehold, or any Part thereof, be here produced, proved and recorded, as aforeſaid; the ſaid Deed ſo made and paſſed here, ſhall ſtand good and effectual in the Law, to all Intents and Purpoſes whatſoever.

Penalty on Mortgagee's refuſing to acknowledge Satisfaction, when he hath been paid what he lent.

VI. And it is hereby further enacted and ordained by the Authority aforeſaid, That any Mortgage of any Lands, Tenements, Real or Perſonal Eſtates whatſoever, within this his Majeſty's Iſland, having received full Satisfaction and Payment of all ſuch Sum or Sums of Money as are really due to him by ſuch Mortgage, ſhall, at the Requeſt of the Mortgager, enter Satisfaction upon the Margin of ſuch Mortgage, recorded or to be recorded in the Office of Enrolment which ſhall for ever hereafter diſcharge, defeat and releaſe the ſame, and ſhall likewiſe perpetually bar all Actions brought or to be brought thereupon in any Court of Record within this Iſland; and if ſuch Mortgagee ſhall not, within three Months after Requeſt, and Tender made for his reaſonable Charges, repair to the Office of Enrolments, and there make ſuch Acknowledgment as aforeſaid, he, ſhe, or they ſo refuſing, ſhall for every ſuch Offence forfeit and pay unto the Party or Parties aggrieved the Sum of Fifty Pounds, current Money of this Iſland; to be recovered in any of his Majeſty's Courts of Record within this Iſland, by Bill, Plaint, or Information, wherein no Eſſoin, Wager of Law, or Protection ſhall be allowed.

The Judge's Fees.

VII. And be it further enacted and ordained by the Authority aforeſaid, That it ſhall and may be lawful for the Judges before whom ſuch Acknowledgment of Deeds or other Writings are and ſhall be made, to demand and receive for every Deed of the Value of Twenty Pounds, or more, Ten Shillings; and for every Deed under the Value of Twenty Pounds, Five Shillings, and no more, under the Penalty of Twenty Pounds; the one Half to be to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof, and the other Half to the Informer; to be recovered as aforeſaid.

VIII. And be it further enacted by the Authority aforeſaid, That the Clerk of the Enrolments ſhall and may take and receive,

Clerk's Fees.

IX. For enrolling and copying an ordinary Deed, Grant, or Patent for one or more Parcels of Land, or any Deed or Conveyance, not exceeding the Length of ſuch Patent, Five Shilings.

X. For every Deed exceeding the Length aforeſaid, Eight-Pence *per* Sheet, accounting Twenty Lines to a Sheet, and Eight Words to a Line.

XI. For every ſhort Writing not exceeding the Length aforeſaid, Twelve-Pence.

XII. For recording every Plot, One Shilling and Three-Pence.

1681.

XIII. FOR ſearching the Record, Twelve-Pence.

XIV. AND for acknowleging Satisfaction in the Margin of a Mortgage recorded, One Shilling and Three-Pence, and no more, under the Penalty of Ten Pounds, to the Uſes, and to be recovered as aforeſaid.

Within what Time Patents ſhall be enrolled.

XV. BE it likewiſe enacted by the Authority aforeſaid, That all Patents already granted, and not enrolled, ſhall be enrolled in the Office of Enrolments within Six Months; and all Patents hereafter to be granted, ſhall be enrolled within Six Months after the Sealing ſuch Patents; which Enrolments, as likewiſe all ſuch as are already there enrolled, ſhall be good and valid in the Law, notwithſtanding any Clauſe inſerted in the ſaid Patents directing the contrary.

Guardians may leaſe out Orphan's Eſtates.

XVI. AND whereas it is moſt manifeſt, that the Eſtates of ſeveral Orphans have been preſerved, and vaſtly improved, by being (during their Minority) leaſed out by their Guardians; and whereas it may be diſputable, whether ſuch Leaſes are warrantable by the Laws of *England*; be it therefore enacted and ordained by the Authority aforeſaid, That all Leaſes heretofore made or granted, or that hereafter ſhall be made or granted of the Eſtate of any Orphan, by the reſpective Guardian, for any Term of Years, not exceeding the Minority of ſuch reſpective Orphans, ſhall be good and valid in the Law; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

XVII. PROVIDED always, That this Act, or any Thing therein contained, ſhall not extend to contradict or alter any Power given to, or to be given by the Patent to any Guardians, or to give Liberty for the future to any Guardian to leaſe out the Eſtate of an Heireſs for any longer Term or Time, than till ſhe ſhall complete the Age of Fourteen Years.

Clerk of the Enrolments to give Security for the faithful Execution of his Office.

XVIII. BE it likewiſe enacted and ordained by the Authority aforeſaid, That the Clerk of the Enrolments, or whoſoever ſhall execute the Office for the Time being, do find Two ſufficient Sureties, with himſelf, to become bound to our Sovereign Lord the King, his Heirs and Succeſſors, in a Bond of the Penalty of Two Thouſand Pounds, for the true and faithful Execution of the ſaid Office, and for keeping the ſame in the Town of St. *Jago de la Vega*, as is herein before declared, and not elſewhere; which ſaid Bond ſhall be recorded in the ſupreme Court of Judicature within this Iſland, and be kept by the Chief Juſtice of the ſame for the Time being, to be made Uſe of according as is directed in an Act, intituled, *An Act impowering the Secretary to take Security*; and whoſoever, after Publication hereof, ſhall officiate in the ſaid Office before he hath given ſuch Security as aforeſaid, he, or they ſo offending, ſhall forfeit the Sum of Five Hundred Pounds, to be recovered by Bill, Plaint, or Information in any of his Majeſty's Courts of Record within this Iſland, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed the Defendant; one Moiety whereof ſhall be to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof, and the other Moiety to him or them that ſhall proſecute the ſame.

An Act impowering the Church-wardens of St. Catherine's *to receive Twelve-Pence* per *Ton for all Goods made up in Cask, that are landed on, or ſhipped from the Bridge at* Paſſage Fort, *for maintaining and repairing the ſame.*

ACT 11.

Twelve Pence *per* Ton to be paid on all Goods landed at *Paſſage Fort* Bridge.

WHEREAS it is evident, that the making and repairing the Bridge at *Paſſage Fort* hath been very chargeable to the Pariſh of St. *Catherine*, conſidering the ſaid Bridge is for the public Uſe of ſeveral Pariſhes; in reſpect whereof ſome Care ought to be taken for eaſing the ſaid Pariſh of the great Charge they are at in maintaining the ſame, and that the ſeveral Perſons that make uſe of the ſaid Bridge ſhould proportionably pay towards the doing of it; be it therefore enacted by the Governor, Council, and Aſſembly, and it is hereby enacted by the Authority of the ſame, That from and after making hereof, all Goods whatſoever, made up in Caſk, and that are landed either upon or ſhipped

1681. ſhipped from the ſaid Bridge, ſhall pay Twelve-Pence *per* Ton, and ſo proportionably for a greater or leſſer Quantity.

Church-wardens of St. *Catherine*'s to keep the Bridge in Repair, &c.

II. And it is enacted by the Authority aforeſaid, That the Church-wardens of St. *Catherine*'s for the Time being ſhall take Care that the Bridge be kept in ſufficient Repair; and in caſe of their Neglect therein, that then the aforeſaid Church-wardens ſhall forfeit reſpectively Ten Pounds; one Half thereof to the Informer, and the other Half to the Poor of the ſaid Pariſh, to be recovered by Bill, Plaint, or Information in any Court of Record within this Iſland, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed.

and to appoint a Perſon to collect the ſame Duty, &c.

III. And it is further enacted and declared by the Authority aforeſaid, That the Church-wardens of the ſaid Pariſh of St. *Catherine* are hereby impowered to appoint ſuch Perſon or Perſons as they ſhall think fit, for collecting the aforeſaid Duty, and to employ the ſame to the Uſe and Behoof of the aforeſaid Pariſh; and if any Perſon or Perſons ſhall refuſe to pay the aforeſaid Duty, it ſhall be lawful for ſuch Collector, as ſhall be appointed by the Church-wardens aforeſaid, to detain or keep in his Poſſeſſion the Goods of the Perſon or Perſons ſo refuſing, until he or they ſhall have ſatisfied the ſame, as it is before expreſſed; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

An Act for Confirmation of pious, charitable, and public Gifts and Grants.

Act 12. To the Intent that pious, charitable, and public Gifts and Grants, ſo neceſſary in new Colonies to be encouraged and made good, may not be defeated, but may take Effect, according to the true Intent and Meaning of the Donor or Donors, Deviſor or Deviſors, notwithſtanding any Incapacity in the Grantee or Deviſee, or thoſe to whoſe Uſe the ſame is granted or deviſed: Be it therefore enacted and ordained by the Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That for and during the Term and Time of Twenty Years next enſuing, all Gifts, Grants, Conveyances, and Deviſes of any Houſes, Lands, Tenements, Rents, Goods, or Chattles, to any good, pious, charitable, or public Uſe or Uſes, as for the Maintenance of lawful Miniſters, erecting or maintaining of Churches, Chapels, Schools, Univerſities, Colleges, or other Places for the Education of Youth, or Maintenance of Men of Learning, or any Alms-houſes or Hoſpitals, or any other Uſes whatſoever, heretofore made and hereafter to be made within the Time aforeſaid, be and are hereby for ever confirmed and made good, according to the true Intent and Meaning of the Donor or Donors, Grantor or Grantors, Deviſor or Deviſors; the Statute of *Mortmain*, or any other Statute, Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Grants of Lands, &c. to pious Uſes, are hereby confirmed.

Exception. II. Provided nevertheleſs, and it is hereby enacted and ordained, That no Gifts, Grants, or Deviſes to any Perſon or Perſons whatſoever for any ſuperſtitious Uſe, or for Maintenance of any Miniſter or Teacher whatſoever, other than ſuch as are lawfully ordained and allowed of by the Church of *England*, be hereby confirmed and made good; any Thing herein, or in any other Act ſeeming to the contrary in any wiſe notwithſtanding.

An Act declaring it High Treaſon to counterfeit His Majeſty's Broad Seal of this Iſland.

Act 13. Forasmuch as by the Laws of this Iſland, no due and condign Puniſhment hath been heretofore provided for ſuch as falſify, forge, or counterfeit his Majeſty's Broad Seal of this Iſland, by reaſon whereof divers evil-diſpoſed Perſons may be emboldened to perpetrate and commit the ſaid Offence, to the Diſhonour of His Majeſty, and the diſinheriting of many of His Majeſty's good Subjects: For Prevention whereof, be it enacted and ordained by the Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That whoſoever ſhall at any Time hereafter falſify, forge, or counterfeit

terfeit His Majeſty's Broad Seal of this Iſland, that every ſuch Offence ſhall be deemed and judged High Treaſon, and the Offender or Offenders therein, their Counſellors, Aiders, Abetters, or Concealers, being legally convicted thereof, by the Oaths of Two lawful and credible Witneſſes upon Trial, or otherwiſe; then every ſuch Perſon and Perſons ſo offending as aforeſaid, ſhall be deemed, declared, and adjudged to be Traitors, and ſhall ſuffer and have ſuch Pains, Penalties, and Forfeitures, as in like Caſes is ordained by the Laws and Statutes of His Majeſty's Kingdom of *England*. 1681.

Penalty on Perſons counterfeiting the Broad Seal of this Iſland.

An Act for regulating Building, and preventing Fire.

ACT 14.

BE it enacted by the Governor, Council, and Aſſembly, and it is hereby enacted by the Authority of the ſame, That no Perſon whatſoever preſume to build any Houſe at *Port Royal* within Thirty Foot of the High Water Mark; and then when any Houſe or Houſes are already built, or hereafter ſhall be built on the Harbour Side nearer than Thirty Foot of the High Water Mark (the Wherry Place only excepted) ſuch Houſe or Houſes ſo built or to be built, ſhall and are hereby adjudged, deemed, and taken to be public Nuſances, and the Proprietor or Proprietors of the ſame ſhall cauſe ſuch Houſe or Houſes built thereon, to be taken down and removed within Six Months after Conviction thereof, or otherwiſe build or cauſe to be built, within Six Months, a ſtrong ſubſtantial Wharf, ſo as the ſame may make a firm Paſſage or Way of Thirty Foot from the High Water Mark.

No Houſe ſhall be built at *Port Royal* within Thirty Foot of High Water Mark, &c.

II. PROVIDED, That no Houſe ſhall be built farther Northward on the Harbour than Major *Samuel Bach*, and Captain *Anthony Swimmer* on any Land, wharfed or to be wharfed out between Fort *James* and Fort *Carliſle*; but that all Land ſo made out of the Harbour, or to be made, ſhall remain unbuilt on.

nor any built farther Northward than Major *Samuel Bach*'s Houſe, &c.

III. AND be it further enacted and declared by the Authority aforeſaid, That when any Fire ſhall happen to break out, either at *Port Royal*, or any other Town already built, or which hereafter ſhall be built within this Iſland, that Two or Three of the chief Military or Civil Officers of the ſame Town or Pariſh, ſhall or may, and hereby are impowered to give all ſuch Directions for the pulling down or blowing up any ſuch Houſe or Houſes that ſhall be by them adjudged meet to be pulled down or blown up, for the ſtopping and preventing the further ſpreading of the ſame; and if it ſhall happen, that the pulling down or blowing up any ſuch Houſe or Houſes by the Direction aforeſaid, ſhall be the Occaſion of ſtopping the ſaid Fire, or the Fire ſtops before it comes to the ſame, then all and every Owner of ſuch Houſe or Houſes ſhall receive Satisfaction, and be paid for the ſame by the reſt of the Inhabitants, whoſe Houſes ſhall not be burnt, who are hereby impowered to make ſuch Rate or Rates for the raiſing and levying ſuch Sum and Sums of Money as ſhall be thought convenient by the Juſtices and Veſtrymen of the Pariſh.

Officers impowered to pull down or blow up any Houſe to prevent the ſpreading of Fire, &c.

IV. PROVIDED always, That if that Houſe where the Fire ſhall firſt begin and break out ſhall be adjudged fit to be pulled down, to hinder the further Spreading and Increaſe of the ſame, that then the Owners of ſuch Houſe ſhall receive no Manner of Satisfaction for the ſame; any Thing in this Act, or any other Act to the contrary notwithſtanding.

Exception.

V. AND whereas it may be doubted, that the Sea may encroach upon the Southward Part of the Town of *Port Royal*; for the Prevention whereof, be it enacted by the Authority aforeſaid, That all Proprietors or Owners of Land or Houſes, their Factors, Agents, Attornies, and Guardians of Children, or any Perſons employed by them, or any of them, that are intereſted on the Southermoſt Part of *Port Royal*, from Fort *Rupert* to the Houſe and Land now inhabited by one *Edward Watkins*, and known by the Sign of the *Blue Bell*, be hereby enjoined and obliged by this Act, within Twelve Months after Publication hereof, ſubſtantially to wharf out and ſecure, and keep ſecured their reſpective Proportions of Land joining on the Sea, with ſubſtantial Wharf of laſting Timber, at leaſt one Foot into the Sea, under the Penalty of Ten Pounds current Money of this Iſland, for every Year any ſuch Perſon or Perſons ſhall neglect the ſame; one Third Part thereof to our

Penalty on Land-owners on the South of *Port Royal* not keeping their Wharfs, &c. in Repair.

1681. Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; one Third Part to the Church-wardens of the Pariſh of *Port Royal* for the Time being, for the Uſe of the Poor; and the other Third Part to the Informer, or he that ſhall ſue for the ſame in any Court of Record within this Iſland, wherein no Eſſoin, Protection, or Wager of the Law ſhall be allowed.

Clauſe in Favour of ſuch Owners.

VI. And that the Owners or Proprietors of ſuch Land or Houſes, as aforeſaid, may be the better encouraged to wharf out, as is before appointed, the Street now called the *Church Street* ſhall be no more deemed, accounted, or taken for a Street, but ſhall be added or annexed to each Propriety and Freehold, in Proportion to their reſpective Intereſt bounding upon the ſame; for which Conſideration they are hereby obliged to leave a Paſſage at leaſt Eighteen Foot open to the Sea.

Exception.

VII. Provided, That nothing in any Clauſe of this Act ſhall permit and ſuffer any Perſon or Perſons whatſoever to build any Houſe nearer to the Church on the South Side than what are already built for the whole Length of the Church aforeſaid.

Penalty on Perſons digging Ballaſt out of *Port Royal* Key, &c.

VIII. And be it further enacted by the Authority aforeſaid, That no Perſon or Perſons do fetch, or cauſe to be fetched in any Boat, Veſſel, or Canoe, from the Riffs or Shoals, or dig up any Stones below High Water Mark, from the Eaſtermoſt and Southermoſt Parts of any of the Keys lying off *Port Royal*; and that no Stones, ſmall or great, be fetched or taken up for Ballaſt, or any other Uſe, from the Eaſtermoſt Side of the Point on *Port Royal*, ſo far as *Plum-Point*, on Penalty of Ten Pounds for every ſuch Offence; and that no Commander and Maſter of any Ship or Veſſel caſt or hoiſt out any Ballaſt overboard into the Water within the Harbour of *Port Royal*, or any other Harbour or Bay, upon the Penalty of Twenty Pounds for every ſuch Offence.

or laying up Veſſels there.

IX. And be it further enacted, That no Wrecks be laid up within the Harbour of *Port Royal*; or if any ſuch decayed Veſſel or Wrecks ſink in the Harbour by Neglect of the Owner or Owners, Poſſeſſor or Poſſeſſors of the ſame, and not removed within One Month after the ſinking thereof, the ſaid Owner or Owners, Poſſeſſor or Poſſeſſors of the ſame, ſhall forfeit Twenty Pounds for every Month ſuch Veſſel ſhall ſo lie.

Diſpoſition of Forfeitures.

X. Provided alſo, That the ſeveral Fines, Forfeitures, and Penalties before mentioned in this Act, and not declared where they ſhall be recovered, and how diſpoſed of, be one Third to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and contingent Charges thereof; one Third to the Church-wardens, for the Uſe of the reſpective Pariſhes, and one Third to the Informer; to be recovered by Action of Debt in any Court of Record within this Iſland, where no Eſſoin, Protection, or Wager of Law ſhall be allowed; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

XI. And foraſmuch as great and divers Complaints are daily made by Maſters and Commanders of Ships and Veſſels trading to this Iſland, that upon their Ships or other Veſſels coming into any Harbour of the ſame, the Seamen belonging to the ſaid Ships or Veſſels do run on Shore, inſomuch that they have not left on Board a ſufficient Number of Men to watch the ſaid Ships or Veſſels; be it therefore enacted and ordained by the Authority aforeſaid, That all and every Perſon or Perſons that ſhall receive and entertain any Seaman or Seamen belonging to any trading Ships or Veſſels riding in any Harbour of this Iſland, after the Ship's Bell ringing to ſet Watch at Eight of the Clock at Night; every ſuch Perſon or Perſons receiving or entertaining of every ſuch Seaman as aforeſaid, ſhall forfeit for the Entertainment of every ſuch Seaman the Sum of Forty Shillings, one Half to the Poor of the Pariſh where the Offence is or ſhall be committed, and the other Half to the Maſter or Commander that ſhall proſecute for the ſame; to be recovered by a Warrant from a Juſtice of the Peace, as in Caſes of Debt not exceeding Forty Shillings.

Penalty on Perſons entertaining Seamen after the Ship's Bell has rung.

An

An Act for the Maintenance of Miniſters and the Poor, and erecting and repairing of Churches. 1681.

ACT 15.

FOR raiſing a convenient Maintenance for the Miniſters and Poor, and erecting and repairing of Churches within this Iſland, be it enacted by the Governor, Council, and Aſſembly, and it is hereby enacted by the Authority of the ſame, That the reſpective Juſtices of every Pariſh within this Iſland, or any Two of them, ſhall every Year iſſue out their Warrants to the Conſtables and Tythingmen, to ſummon the Freeholders of that Pariſh together on the ſecond *Tueſday* in *January*, for the chuſing of Ten Veſtrymen and Two Church-wardens, ſuch as ſhall conform to the Church of *England*; and if they ſhall neglect to iſſue their Warrant, ſo as the Election be not made that Day, they ſhall reſpectively forfeit Five Pounds, current Money of this Iſland; and in caſe the ſaid Freeholders, duly ſummoned as aforeſaid, ſhall not appear, or appearing do not chuſe the ſaid Ten Veſtrymen and Two Church-wardens, that then, in their Default, the ſaid Juſtices ſhall, within Ten Days after the ſaid ſecond *Tueſday* in *January*, or any Day after, as to them ſhall ſeem convenient, lay a reaſonable Tax on the ſaid Pariſh, for the Maintenance of the Miniſter and Poor, and for erecting convenient Churches, and repairing ſuch as are already made, and making convenient Seats in them; and if the ſaid Juſtices and Veſtrymen ſhall neglect their Duty herein, they ſhall reſpectively forfeit Five Pounds, current Money of this Iſland.

This Clauſe, ſo far as it relates to the Time of chuſing Veſtrymen, &c. repealed by Act 162, Clauſe 1.

How Miniſters ſhall be maintained.

II. AND be it further enacted and ordained by the Authority aforeſaid, That ſuch of the Juſtices and Veſtrymen that ſhall not be preſent at the Time appointed to make the ſaid Taxes, and thereof be convicted by a Certificate under the Hands of ſuch as do appear, and have no ſufficient Excuſe for the ſame, ſhall reſpectively forfeit Five Pounds, current Money of this Iſland; and a Roll of the ſaid Tax ſo made, ſhall be delivered into the Hands of the reſpective Conſtables of the ſaid Pariſhes, with a Warrant under the ſame, ſigned by any Two Juſtices of the Peace, impowering him or them to levy the ſaid Tax, and upon Refuſal, to diſtrain and ſell by public Outcry, and pay the ſame into the Hands of the Church-wardens, retaining to himſelf Twelve-Pence *per* Pound for levying thereof; and if any Perſon ſhall refuſe to pay what he is ſo aſſeſſed, and the ſaid Conſtables diſtrain for the ſame, all his Charges ſhall be paid him, with ſuch further Allowance for his Pains as the ſaid Juſtices, or any of them, ſhall judge reaſonable; and if the ſaid Juſtice or Juſtices ſhall neglect to iſſue the ſaid Warrant, he or they ſhall reſpectively forfeit Five Pounds, current Money of this Iſland; and if the ſaid Conſtables, or any of them, fail of their Duty herein, they ſhall reſpectively forfeit Five Pounds, current Money of this Iſland; and the Church-wardens ſo choſen ſhall undertake the ſaid Office, and receive and keep a good Account of the Monies or Goods levied by virtue of this Act, and the ſame iſſue by Order from the ſaid Juſtices and Veſtrymen of the Pariſhes, for the Purpoſes and Intents aforeſaid; and the Church-wardens ſhall, as often as thereunto required, yield and give a juſt and true Account unto the Juſtices and Veſtrymen of all their Receipts and Diſburſements; and in caſe the ſaid Church-wardens, or any of them, ſhall neglect their Duty herein, they ſhall reſpectively forfeit Five Pounds, current Money of this Iſland, for every Refuſal.

Penalty on Juſtices and Veſtrymen abſenting themſelves from the Veſtry appointed to make the Tax, &c.

III. AND be it further enacted and ordained by the Authority aforeſaid, That the reſpective Juſtices of the Pariſhes of St. *Dorothy* and St. *Thomas* in the Vale, or any Two of them, ſhall every Year iſſue out their Warrants to the Conſtables and Tythingmen, to ſummon in the Freeholders of the ſaid Pariſhes the ſecond *Tueſday* in *February*, for the chuſing of Ten Veſtrymen and Two Church-wardens as aforeſaid; and that the ſaid Juſtices and Veſtrymen, or the major Part of them, are hereby impowered to lay on the Pariſhioners a reaſonable Tax, over and above the Rate impoſed on them by virtue of this Act, by the Juſtices and Veſtrymen of the Pariſh of St. *Catherine*, provided it exceed not One Hundred Pounds, current Money of this Iſland, for and towards the building and erecting Churches, and making convenient Seats in them, in their reſpective Pariſhes, and

Two Church-wardens, and Ten Veſtrymen to be choſen for the Pariſhes of St. *Dorothy* and St. *Thomas*, &c.

1681. and to no other Uſes whatſoever; and that whatſoever Rate or Rates hath been already aſſeſſed by the Juſtices and Veſtrymen of the Pariſhes of St. *Dorothy* upon their Pariſhioners, or any other Perſon or Perſons having Land, Goods, or Stock within the ſaid Pariſh, is hereby ratified, confirmed, and declared lawful; any Clauſe in this Act ſeeming to the contrary notwithſtanding.

By whom Tax-Rolls ſhall be ſigned,

IV. A Roll of any Taxes ſo made ſhall be delivered into the Hands of the reſpective Conſtables of each Pariſh, with a Warrant under the ſame, ſigned by any Two of the Juſtices, impowering him or them to levy the ſaid Tax, and upon Refuſal to diſtrain and ſell by public Outcry, as aforeſaid; any thing in this Act ſeeming to the contrary notwithſtanding.

and Arrears of Taxes recovered.

V. And be it further enacted and ordained by the Authority aforeſaid, That the Juſtices and Veſtrymen of each Pariſh have full Power to enquire into Arrears of former Subſcriptions and Taxes, and to levy the ſame Arrears by Warrant from the Juſtices to the Conſtables aforeſaid.

Miniſter to take no Fee but what is allowed by the Veſtry.

VI. And that the Miniſter demand no Fee in his own Pariſh for Chriſtenings, Marriages, Churchings, or Burials, under the Penalty of Five Pounds for every Offence, unleſs ſuch as the Juſtices and Veſtrymen ſhall allow; any Law, Cuſtom, or Uſage to the contrary notwithſtanding: The one Half of all which Forfeitures ſhall be to the Poor of the Pariſh, and the other Moiety to him or them that ſhall ſue for the ſame in any Court of Record within this Iſland.

Where no Diſtreſs can be made on Perſons taxed, an Action may be brought;

VII. And foraſmuch as many Perſons, who may, by virtue of this Act, and the Acts for mending and repairing the Highways, be taxed, and have nothing in the Pariſh where they are taxed, upon which any Diſtreſs may be made, it is therefore enacted and ordained by the Authority aforeſaid, That in ſuch Caſes, from and after the making hereof, an Action of Debt ſhall lie in any Court of Record, or before any Juſtice of the Peace, as in other Debts, for the ſeveral Church-wardens and Surveyors of each reſpective Pariſh, and their Succeſſors, to recover againſt any of the ſaid Perſons rated or aſſeſſed by virtue of this Act, or any of them, or their Agents or Attornies here, all ſuch Sum and Sums of Money as are or ſhall be rated or aſſeſſed upon them as aforeſaid.

and producing the Aſſeſſment in Court, ſhall be ſufficient Evidence, &c.

VIII. And that the ſame Rate or Aſſeſſment, produced in ſuch Court of Record, or before ſuch Juſtice of the Peace aforeſaid, ſhall be ſufficient Evidence and Proof for the Recovery of all ſuch Sum or Sums of Money ſo rated or aſſeſſed as aforeſaid: Provided nevertheleſs, and it is the true Intent and Meaning hereof, That no Juſtice of the Peace and Veſtrymen ſhall have Power to aſſeſs any ſuch Perſon or Perſons as aforeſaid, above the Sum of One Shilling *per Annum*, for every hundred Acres of Land, and ſo proportionable for a greater or leſſer Quantity.

Perſons over-rated, may appeal to Quarter Seſſions.

IX. And it is hereby further enacted and ordained by the Authority aforeſaid, That any Perſon or Perſons, aggrieved or rated in any ſuch Aſſeſſment or Tax, have hereby Liberty granted to appeal to the Juſtices ſitting in the Quarter Seſſions in their reſpective Precincts in this Iſland; provided that ſuch Appeal to them be made at the firſt or ſecond Quarter Seſſions after ſuch Taxes made, and not afterwards; and that there it appearing to the ſaid Juſtices, that he, ſhe, or they were over-rated, taxed, or aſſeſſed, the ſaid Juſtices are hereby authorized and impowered, if they find him, her, or them ſo over-rated or aſſeſſed, to eaſe him, her, or them, as to their Diſcretion ſhall ſeem meet; but that no Appeal ſhall lie further, or to any other Court or Place in this Iſland, for any Tax or Rate made or aſſeſſed by the Juſtices and Veſtrymen of each reſpective Pariſh in this Iſland; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

A Book to be provided,

X. And be it further enacted and ordained by the Authority aforeſaid, That the Church-wardens of each reſpective Pariſh within this Iſland do buy, or cauſe to be bought, one fair well bound Book, wherein the Miniſter, and in caſe there be no Miniſter there reſident, the reſpective Church-wardens, upon Notice thereof given by the Maſters of the ſeveral Families, who are hereby required to give ſuch Notice, under the Penalty of Five Pounds, ſhall regiſter, or cauſe to be regiſtered, by the Clerk of the Veſtry of that Pariſh, the Times of the Births, Chriſtenings, Marriages, and Burials of all ſuch Perſon or Perſons that ſhall from time to time be born, chriſtened, married, or buried within the ſaid Pariſh,

wherein all Chriſtenings, &c. ſhall be regiſtered;

under

under the Penalty of Five Pounds for every ſuch Default; and that the ſaid Clerk or Perſon that ſhall regiſter the ſame, ſhall have and receive as a Fee for each Entry, Fifteen-Pence, and no more. 1681.

which Book ſhall be deemed a Record in all Courts, &c.

XI. And it is hereby further enacted by the Authority aforeſaid, That all ſuch Entries duly made and kept as aforeſaid, ſhall at all Times hereafter be deemed, judged, and taken as an authentic Record of all ſuch Births, Chriſtenings, Marriages, and Burials, and in all and every the Courts of Record in this Iſland; but if any Perſon hereby authorized to make ſuch Entry, or any other whatſoever, ſhall make, or cauſe to be made, any falſe Entry, or ſhall raze out or imbezil any Entry, or Books of Entry, he or they ſo offending ſhall be proceeded againſt, and puniſhed in Manner and Form as the Laws of *England* provide againſt ſuch as ſteal, raze, or imbezil Records: The one Moiety of all which Forfeitures or Penalties, or any other mentioned in this Act, and not directed how to be diſpoſed of, ſhall be to the Poor of the Pariſh where the Fault is committed; the other Moiety or half Part to the Informer; to be recovered by Bill, Plaint, or Information, in any of his Majeſty's Courts of Record in this Iſland, wherein no Wager of Law, Eſſoin, Protection, or Injunction ſhall be allowed; any thing in this Act, or any other Act to the contrary in any wiſe notwithſtanding.

The annual Sums to be paid the Miniſters of the ſeveral Pariſhes, &c.

XII. And be it further enacted and ordained by the Authority aforeſaid, That the Pariſh of *Port Royal* do allow and pay unto the Miniſter thereof Two hundred and fifty Pounds *per Annum*, of current Money of this Iſland; and that the Pariſh of St. *Catharine* do allow and pay unto the Miniſters thereof One hundred and forty Pounds of the like Money *per Annum*, and not leſs; and that the Pariſh of St. *Thomas*, St. *Andrew*, and St. *John* do allow and pay unto their reſpective Miniſters One hundred Pounds of like Money *per Annum*; and that all the other Pariſhes within this his Majeſty's Iſland, that either have or ſhall have a Miniſter, do allow and pay Eighty Pounds current Money, and not leſs, as a conſtant yearly Sallary, for the Support and Maintenance of every of their Miniſters, to be paid at their reſpective Dwelling-houſes every Six Months, without any Charge or Defalcation, by equal Portions; and none to be capable of being preſented to the ſaid Benefices, or receiving the Profits of the ſame, unleſs they produce due Teſtimonials that they are qualified according to the Canons of the Church of *England*, by having taken Deacon and Prieſt's Orders, and the ſaid Teſtimonials to be recorded in the Secretary's Office.

Penalty on any diſqualified Miniſter marrying any Perſon.

XIII. And be it further enacted and declared by the Authority aforeſaid, That no Miniſter not duly qualified as aforeſaid, preſume to marry any Perſon or Perſons whatſoever, under the Penalty of One hundred Pounds, current Money of this Iſland; one Third thereof to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; one Third to the Poor of the Pariſh where the Offence ſhall be committed, and the other Part to him or them that ſhall ſue for the ſame in any of the Courts of Record within this Iſland; and that no Miniſter preſume to marry any Perſons whoſe Banns have not been publiſhed Three times in their Pariſh Church, or have a Licence from the Governor or Commander in Chief for the Time being, authorizing him thereunto, under the like Penalty, and to the ſame Uſes; to be recovered as aforeſaid, or Twelve Months Impriſonment.

Exception.

XIV. Provided always, and it is the true Intent and Meaning of this Act, That no Eccleſiaſtical Law or Juriſdiction ſhall have Power to enforce, confirm, or eſtabliſh any penal Mulcts or Puniſhment in any Caſe whatſoever; any thing in this Act, or any other, to the contrary notwithſtanding.

The Names of the Pariſhes.

XV. And whereas this Iſland in the Twenty-ninth Year of his Majeſty's Reign, by an Act of this Country, was divided into Fifteen Pariſhes, which were called, diſtinguiſhed, and known by ſeveral Names hereafter mentioned; that is to ſay, St. *Thomas*, St. *David*'s *Port Royal*, St. *Andrew*'s, St. *Catharine*'s, St. *Dorothy*'s, St. *Thomas in the Valley*, *Clarendon*, *Vere*, St. *John*'s, St. *George*'s, St. *Mary*'s, St. *Anne*'s, St. *James*'s, St. *Elizabeth*'s; be it therefore enacted and ordained by the Authority aforeſaid, That all and every of the ſaid ſeveral Pariſhes

1681. reſt, remain, and for ever hereafter be diſtinguiſhed and known by the aforeſaid reſpective Names, and by no other whatſoever; any Thing in this, or any other Law to the contrary notwithſtanding.

An Act aſcertaining the Value of Foreign Coins, and eſtabliſhing Intereſt.

Act 16.

What Coins are current, and their Value. This Clauſe is repealed by the Act 6 Anne.

BE it enacted by the Governor, Council, and Aſſembly, and it is hereby enacted by the Authority of the ſame, That each ſingle *Spaniſh Dubloon*, or *French Piſtole*, ſhall be current, and paſs for Twenty Shillings current Money; each ſingle Piece of *Sevil*, *Mexico*, or *Piller*, and each *French Crown*, at Five Shillings current Money; a *Peru* Piece of Eight, at Four Shillings; and all Monies whatſoever of thoſe Coins aforeſaid, ſhall in all Payments whatſoever be proportionably rated; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Penalty on debaſing them.

II. That whoſoever ſhall for baſe Lucre, by any Way or Means, coin, falſify, impair, diminiſh, ſeal, waſh, clip, file, or lighten any of the Money aforeſaid, or any other Money current in this Iſland, ſhall be guilty of High Treaſon; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

No Perſon to take above 10 *l. per Cent.* for Intereſt.

III. And it is further enacted and declared by the Authority aforeſaid, That from and after the Twentieth Day of *July*, in the Year of our Lord One thouſand ſix hundred eighty and one, no Perſon or Perſons whatſoever, upon any Contract made or to be made, ſhall, directly or indirectly, take for the Loan of any Monies above the Value of Ten Pounds current Money, for the Forbearance of One hundred Pounds current Money, for one Year, and ſo after the Rate for a greater or leſſer Sum, for a longer or ſhorter Time; which ſaid Intereſt is hereby declared to be only recoverable upon penal Bonds and Mortgages.

And all Securities given for Money lent at a greater Intereſt are void.

IV. That all Bonds, Contracts, and Aſſurances whatſoever, made hereafter for the Payment of any principal Money to be lent on Uſury, whereupon or whereby there ſhall be received or taken above the Rates of Ten Pounds current Money in the Hundred as aforeſaid, ſhall be utterly void; and that all and every Perſon or Perſons whatever, who ſhall hereafter, upon any Contract to be made, take, accept, or receive, by any Way or Means, or corrupt Bargain, Loan, or Exchange, Shift, or Intereſt of any Monies, or by Deceit, or other fraudulent Conveyances, for Forbearance, or giving Day of Payment for one whole Year, or in Proportion, for a longer or ſhorter Time for their Monies, above the Sum of Ten Pounds current Money aforeſaid, ſhall forfeit and loſe for every ſuch his or their Offence treble the Value of the Money lent or bargained for by any Way or Means whatſoever; one Moiety of which Forfeitures ſhall be to our Sovereign Lord the King, his Heirs, and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; the other Moiety to him or them that ſhall ſue for the ſame in any Court of Record within this Iſland, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed.

A Standard appointed for Gold and Silver Wares;

V. And whereas ſeveral evil-diſpoſed Goldſmiths deceitfully do make and ſell Plate and other Gold and Silver Wares, to the great defrauding of his Majeſty's Subjects of this Iſland; for Remedy whereof, be it enacted by the Authority aforeſaid, That no Goldſmith, or Worker in Gold or Silver within this Iſland, from and after the Firſt Day of *Auguſt*, in the Year of our Lord One thouſand ſix hundred eighty and one, ſhall work, ſell, exchange, or cauſe to be wrought, ſold, or exchanged, any Plate, or other Goldſmiths Wares of Gold, leſs in Fineneſs than Twenty two Carats; and that from the Time aforeſaid, no Goldſmith, or Worker in Gold or Silver, ſhall make, ſell, or exchange in any Place within this Iſland, any Plate, or Goldſmiths Wares of Silver leſs in Fineneſs than that of Eleven Ounces Two-penny Weight; and that no Goldſmith, or Worker in Gold or Silver, ſhall preſume to put to Sale, exchange, or ſell any Plate of Goldſmiths Work of Gold or Silver, before he hath ſet his own Mark to ſo much thereof as may conveniently bear the ſame, upon Pain of forfeiting the Value of the Thing ſo ſold or exchanged.

and Perſons ſelling Wares of leſs Fineneſs, ſhall forfeit treble the Value.

VI. And be it further enacted by the Authority aforeſaid, That whatſoever Goldſmith, or Worker in Gold or Silver as aforeſaid, from and after the Firſt

Day

Day of *Auguſt*, ſhall preſume to ſell or exchange any Gold or Silver Wares of leſs Fineneſs than aforeſaid, for every ſuch firſt Offence ſhall forfeit treble the Value of the ſaid Wares ſo ſold or exchanged; one Half whereof ſhall be to our Sovereign Lord the King, his Heirs, and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof, and the other Half to the Party aggrieved, to be recovered in Manner and Form aforeſaid; and whoſoever ſhall offend the ſecond Time, and thereof be convicted, ſhall ſtand in the Pillory for the Space of One Hour, and loſe his Ears for the ſame. 1681.

An Act for ſettling the Militia.

Act 17.

WHEREAS the Situation of this Iſland, amidſt ſubtil, rich, and potent Nations, cannot but ſufficiently convince every reaſonable Man of the Neceſſity the Inhabitants have of being well armed and trained up in the Art Military, as well for the Honour and Service of his moſt excellent Majeſty, as the Preſervation of our own Lives and Fortunes; be it therefore enacted and ordained by the Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That no Perſons whatſoever, from Fifteen to Sixty Years of Age, remain unliſted, by themſelves, Maſters, Miſtreſſes, or Employers, under the Captains, in the reſpective Places of their Abode, in Foot or Horſe, the Space of Six Weeks, on Penalty of Forty Shillings, and ſo for every Six Weeks ſuch Perſons ſhall remain unliſted.

From what Age, and how long Perſons ſhall be exerciſed in Arms.

II. And that every Foot Soldier be provided with a well fixed Muſket or Fuzee, or (if the Officer ſo appoint) with a good Pike and Sword, or Launce and Piſtol; each Muſketeer to have Six Charges of Powder, and One Cartouch Box, and ſo ſhall appear when and where appointed, upon Penalty of Ten Shillings for his Default in not appearing, and Four Shillings for want of each Charge of Powder, Gun, Pike, Sword, Piſtol, or Cartouch-Box, ſo as the whole Penalty for any Perſon at one Time exceed not Ten Shillings.

Accoutrements for Foot Soldiers,

III. And that every Soldier belonging to the Horſe, ſhall, when and where commanded, appear and be provided with a good ſerviceable Horſe, of Ten Pounds Value at the leaſt, covered with a good Saddle, with Holſters, Breaſtplate and Crupper, and a Caſe of good Piſtols, Hanger, Sword, or Rapier, and half a Pound of Powder, on Penalty of Ten Shillings for each Time's Abſence, and Six Shillings for Default of each the Particulars above-mentioned, ſo as the whole Penalty for one Time exceed not Fifteen Shillings.

and Horſe.

IV. And that every Foot Soldier ſhall have at his Habitation and Abode Two Pounds of good Powder, and Six Pounds of ſizeable Bullets; and every Trooper have at his uſual Place of Abode a well fixed Carbine, with Belt and Swivel, and Four Pounds of fine Powder, with Twelve Pounds of ſizeable Bullets, on Penalty of Ten Shillings for each Default; and that each of them ſhall bring the ſame into the Field when commanded, upon Penalty of anſwering the ſame at a Court-marſhal.

What Ammunition they ſhall have at their Habitations.

V. Provided nevertheleſs, That nothing herein be conſtrued to extend to force or compel any Perſon that hath or ſhall be in Commiſſion in this Iſland, to liſt himſelf in any Company or Troop, or to ſerve in any Capacity beneath the former Commiſſion, unleſs ſuch Perſon hath been degraded by a Court-marſhal.

Proviſo.

VI. And it is further enacted by the Authority aforeſaid, That no Perſon, ſo liſted as aforeſaid, ſhall depart thence without a Diſcharge from the Commander of the Company or Troop where liſted, on Penalty of Forty Shillings; and that no Commander of any Company or Troop ſhall refuſe, when deſired, to give a Diſcharge in Writing to any that is removing his Abode out of the Precincts, under the Penalty of Five Pounds.

Penalty on departing without Commander's Leave.

VII. And whereas at the Town of *Port Royal* Guards and Watches are every Night ſet and appointed, be it therefore enacted and declared by the Authority aforeſaid, That it ſhall and may be lawful for any Perſon or Perſons liſted in the Regiment of *Port Royal* (except on extraordinary Occaſions) to put a well-armed Man in their Room, who, if approved of by the Captain of the Guard, ſhall excuſe his or their Abſence.

Watch and Guard to be kept at *Port Royal*, &c.

VIII. Pro-

1681.

Proviſo.

VIII. Provided always, That the Commiſſion-officers and Serjeants of the reſpective Companies be obliged, in their reſpective Turns, to mount the Guards in their proper Perſons; and that no Perſon ſhall refuſe to be a Serjeant, Corporal, or Drummer in the Company or Troop wherein he is liſted, under the Penalty of Five Pounds.

Captains to find Drums, &c. for their Troops.

IX. And be it further enacted and ordained by the Authority aforeſaid, That all Captains of Companies of Foot, or Troops of Horſe, ſhall, within Six Months from and after Publication of this Act, provide for their Companies and Troops, Drums and Colours, Trumpets, Trumpeters, and Banners, at their own Charge, under the Penalty of Ten Pounds; and ſo for every ſix Months ſuch Commanders ſhall remain unprovided.

An Enquiry to be made once a Year, whether the Soldiers be duly liſted and equipped.

X. And that all the Colonels of the reſpective Regiments, or next chief Officer in their Abſence, ſhall, once every Year at the leaſt, iſſue out their Warrants to their inferior Officers, commanding them to make diligent Search and Enquiry in their ſeveral Precincts, that all be duly liſted, armed, and equipped, and to return to them ſuch Defects as ſhall be found, to the End the ſame may be reformed, on Penalty of a Hundred Pounds; and that once every Two Months, or oftner, as Occaſion ſhall require, and Command be given by the Commander in Chief, the ſeveral Companies and Troops in each Regiment ſhall meet at the next and moſt convenient Places, to be appointed by their reſpective Officers, to be then and there by them muſtered and exerciſed; only the Regiment on *Port Royal* ſhall meet and exerciſe one Company in each Week ſucceſſively, and the whole Regiment once in Eleven Weeks.

Soldiers while under Arms to be ſubject to the Laws and Articles of War, &c.

XI. And it is further enacted and ordained by the Authority aforeſaid, That during the Time the ſaid Officers and Soldiers are in Arms, they ſhall obſerve and keep all and every of the Laws and Articles of War, and give all due Obedience to their ſuperior Officers; which Laws and Articles the Commander in Chief, with Advice of a general Council of War, is to make and eſtabliſh, and the Commanders of the ſeveral Regiments to give out Copies of the ſaid Articles unto their reſpective Officers, that the ſame may be publickly read once every Six Months unto the Soldiers, whilſt they are in Arms, that all Perſons may the better know and obſerve their Duties. And if it ſhall happen that any of the Officers or Soldiers ſhall, when they are out of Arms, endeavour to take Revenge by Force for any Thing his or their ſuperior Officers lawfully did, in purſuance of his or their Duty and this Act, the ſaid Officers and Soldiers ſhall be brought to a Court-marſhal, and there puniſhed, as if the Offence had been done in Time of Service or Exerciſe; provided that the ſaid Puniſhment do not extend to Life or Limb.

Muſter-roll to be taken once a Year.

XII. And be it further enacted by the Authority aforeſaid, That once every Year, or oftner, if thereunto commanded, each particular Captain ſhall give to his Field-officer, and the Field-officer to the Commander in Chief, fair written Rolls of their reſpective Companies and Regiments.

Penalty on diſobeying Officers.

XIII. And if any Field-officer, Captain, or other inferior Officer or Soldier ſhall neglect or contemn performing the lawful Commands of their reſpective ſuperior Officers, he or they ſhall be puniſhed by Fine, Caſhiering, or Puniſhment, according to the Diſcretion of a Court-marſhal, which the Commander in Chief is to appoint and eſtabliſh; and the Orders of the ſaid Court-marſhal are hereby declared to be binding in all Military Affairs.

Clauſe for Relief of wounded Soldiers.

XIV. And if any Perſon upon any Invaſion, or other publick Military Service, be wounded or diſabled, he ſhall be cured and maintained out of the publick Revenue.

General Iſſue.

XV. And if any Perſon whatſoever ſhall be ſued, moleſted, or impleaded for any Thing lawfully commanded in the Execution and Purſuance of this preſent Act, he ſhall plead the General Iſſue, and give this Act in Evidence, and ſhall thereupon, if found for him, recover Coſts of Suit and treble Damages.

Marſhal Law to be proclaimed in Times of Danger or Invaſion.

XVI. And be it further enacted by the Authority aforeſaid, That upon every Apprehenſion and Appearance of any publick Danger or Invaſion, the Commander in Chief do forthwith call a Council of War, and with their Advice and Conſent cauſe and command the Articles of War to be proclaimed at *Port Royal* and St. *Jago de la Vega*, from which ſaid Publication the Marſhal Law is to be in Force;

Force; that then it ſhall and may be lawful for the ſaid Commander in Chief to command the Perſons of any of his Majeſty's liege People, as alſo their Negroes, Horſes, and Cattle, for all ſuch Services as may be for the publick Defence, and to pull down Houſes, cut down Timber, command Ships, and Boats, and generally to act and do, with all full Power and Authority, all ſuch Things as he and the ſaid Council of War ſhall think neceſſary and expedient for his Majeſty's Service, and Defence of this Iſland. 1681.

XVII. Provided always, and it is the true Intent and Meaning of this Act, That as ſoon as the Common Law revives and is in Force, the ſaid Negroes, Servants, Cattle, Ships, or Boats, ſo employed, as aforeſaid, be immediately diſcharged; and to the end it may be certainly known when the Marſhal Law ceaſeth, and the Common Law taketh Place, it is hereby declared, That upon lodging the Colours, and diſcharging the Soldiers from their Arms, the Marſhal Law ceaſeth, and the Common Law revives and taketh Place. Proviſo.

XVIII. Provided alſo, That the Marſhal, or his Deputy, ſhall not preſume to arreſt any ſuch Soldier within one Month after every ſuch Diſcharge, nor in the Time of his going or coming to or from the Place of Exerciſe or Rendezvous, under the Penalty of Ten Pounds, and of being further liable to an Action of falſe Impriſonment. And in caſe of any ſuch Arreſt, it ſhall be lawful for the reſpective Captain, or other Commiſſion-officer, to releaſe any of his or their Soldiers ſo arreſted. No Soldier to be arreſted within one Month after his Diſcharge.

XIX. And it is hereby further enacted and ordained by the Authority aforeſaid, That if, upon any Alarm or Invaſion, any Perſon or Perſons whatſoever ſhall ſuffer, either by the Landing of an Enemy, or drawing together his Majeſty's Forces of this Iſland, all ſuch Damage or Damages, whether in Servants, Negroes, Horſes, Cattle, or in the Labour of any of them, or in the Expence of Proviſion, or by Fire, or by any other Loſs whatſoever, that may accrue by the Means aforeſaid; that then, upon due Application and Proof thereof made unto the Governor and Council, the ſaid Damages ſhall be reaſonably valued, and forthwith paid out of the publick Revenue; and that if there be no Money there, the Governor and Commander in Chief do forthwith call an Aſſembly, and recommend to them all Caſes of the like Nature, ſo that Money may be legally raiſed for the publick Diſburſements, and every one receive juſt and equal Satisfaction for their Loſſes. Perſons ſuffering by the Landing of an Enemy, &c. to be ſatisfied out of the Publick Revenue.

XX. Provided always, and it is hereby enacted and declared by the Authority aforeſaid, That the ſeveral Fines and Forfeitures mentioned in this Act, and not declared in what Manner they ſhall be recovered and how diſpoſed of, that all ſuch as do relate to any Perſon under the Degree of a Captain ſhall be to the reſpective Captains, to defray the Charge of their Companies or Troops, and to be levied before the next Exerciſing Day by Diſtreſs and Sale of the Offender's Goods, by the Captain's Warrant to the Serjeant or Corporal; and if no Diſtreſs be found, the Puniſhment to be by riding the Wooden-horſe, or being tied Neck and Heels, not exceeding an Hour, at the Diſcretion of their Officer; but if the Offender be a Servant, the Owner's Goods ſhall be liable to the Diſtreſſes and Sales as aforeſaid, ſo that Satisfaction may be made; and for all other Penalties mentioned in this Act, the ſame ſhall be levied by Diſtreſs and Sale of the Offender's Goods and Chattels, by the Provoſt Marſhal, by Warrant from the Commander in Chief; one Half thereof ſhall be to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof, and the other Half to the Informer. Diſpoſition of Forfeitures.

XXI. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Commiſſion-officer belonging to the Regiment on *Port Royal*, under the Degree of a Captain, in the Abſence of the ſaid Captain from off the Point, to grant Warrants of Diſtreſs againſt any Perſon whatſoever that ſhall abſent themſelves from their Duty on the Night-guards, without ſending a ſufficient Perſon to ſerve and watch in their Stead; which ſaid Warrants ſo granted ſhall be as effectual to all Intents and Purpoſes whatſoever, as if they, or any of them, had been granted by the Captains themſelves. Officer may grant Warrant of Diſtreſs againſt Perſons abſenting themſelves from Duty, &c.

1681.

Penalty on Boats, &c. passing the Fort of *Port Royal* without giving Notice to the Captain of it.

XXII. And be it likewiſe enacted by the Authority aforeſaid, That no Wherry, Ship's Boat, or Canoe, ſhall at any Time paſs the Fort at *Port Royal*, under the Penalty of Twenty Shillings, to be recovered by Warrant from any Juſtice of the Peace, without giving Notice to the Captain of the ſaid Fort, or whoſoever ſhall command in Chief therein in his Abſence; which ſaid Notice ſhall be ſufficient Leave to paſs the ſaid Fort, without any further Charge or Trouble whatſoever, unleſs the ſaid Captain, or other his ſubordinate Officer, have reaſonable Cauſe to ſuſpect the Perſon ſo deſiring Leave to have ſome evil Deſign in going off with, or carrying off any Perſons contrary to Law; in which Caſe it ſhall and may be lawful for the ſaid Captain, or his aforeſaid Officer, to hinder their Departure out of the Harbour, until the ſaid Captain or Officer be ſatisfied of the Lawfulneſs of their Occaſion; any Act, Cuſtom, or Uſage to the contrary notwithſtanding.

Penalty on firing a Gun after eight o'Clock at Night, &c.

XXIII. Be it alſo further enacted by the Authority aforeſaid, That no Perſon whatſoever preſume to fire any ſmall Arms after Eight of the Clock at Night, unleſs in Caſe of an Alarm, Inſurrection, or other lawful Occaſion; and in either of the ſaid Caſes, Four Muſkets, or ſmall Arms, diſtinctly fired, ſhall be taken for an Alarm, from Quarter to Quarter; and every Perſon that ſhall be duly convicted before a Regimental Court-marſhal of neglecting his Duty, in taking and giving forward any Alarm, by firing Four Muſkets or ſmall Arms as aforeſaid, or ſhall be guilty of firing any ſmall Arms after Eight of the Clock at Night, unleſs as aforeſaid, ſhall be fined or otherwiſe puniſhed at the Diſcretion of a Court-marſhal, not extending to Life or Limb.

Penalty on Marſhal neglecting to ſecure Offenders,

XXIV. And whoſoever ſhall be found to be a Tranſgreſſor herein by the next Commiſſion-officer, under Penalty of Five Pounds, to be cauſed to be apprehended and ſent under a Guard to the next Marſhal, who is hereby obliged, under Penalty of Twenty Pounds, to receive and ſecure the ſaid Offender, until he ſhall be tried or diſcharged by a Court-marſhal as aforeſaid.

and on Captains of Ships ſuffering Guns to be fired after Sun-ſet.

XXV. And for the better Prevention of falſe Alarms, That no Captain, Maſter, or Commander of any Ship or Veſſel, riding at Anchor in the Harbour of *Port Royal*, or any other Bay or Harbour, or any other Perſon, fire any Gun after Sun-ſet, under Penalty of Forty Shillings for every Gun ſo fired; to be levied by Warrant from the Chief Officer, not under the Degree of a Captain, who is hereby impowered to adminiſter an Oath, and give Judgment thereupon, by Diſtreſs or Sale of the Offender's Goods; and for want of Diſtreſs, the ſaid chief Officer is hereby impowered to commit ſuch Offender to Gaol, there to remain until Payment of the ſame; and that in caſe the ſaid chief Officer ſhall not perform his Duty herein, he ſhall forfeit Ten Pounds, to be levied by Warrant from the Governor or Commander in Chief for the time being. Provided always, That this Clauſe ſhall in no ways concern or extend to any Captain or Officer of any of his Majeſty's Ships of War for their firing of one Gun for the ſetting of the Watch.

This Act not to abridge the Governor's Power.

XXVI. Provided always, and it is hereby further enacted and declared by the Authority aforeſaid, That nothing in this Act contained be expounded, conſtrued, or underſtood to diminiſh, alter, or abridge the Power of the Governor or Commander in Chief for the Time being; but that in all Things, and upon all Occaſions, he may act as fully and freely as Captain General and Chief Governor, to all Intents and Purpoſes as if this Act had never been made; any Thing in this Act to the contrary notwithſtanding.

Proviſo.

XXVII. Provided alſo, and it is hereby enacted and declared by the Authority aforeſaid, That nothing within this Act, or any Clauſe therein contained, ſhall be deemed, conſtrued, or underſtood to give any Captain General or Commander in Chief any Power or Authority for the ſending any Perſon or Perſons off this Iſland againſt their Will, or to do any other Act or Thing contrary or repugnant unto the known Laws of *England* or this Iſland.

An Act for the Prevention of Law-Suits. 1681.

ACT 18.

Poſſeſſions of Lands, &c. are hereby confirmed.

BE it enacted and ordained by the Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That all Poſſeſſions of or Titles to any Lands or Houſes whatſoever, derived by or from any Sales for valuable Conſiderations, made either by the Provoſt-marſhal, Creditors, or by Executors or Adminiſtrators of any Perſons deceaſed, or by the Huſbands in Right of their Wives, or by the Endorſements or Delivery up of Patents, or by any Decrees in Chancery, or by any Laſt Wills and Teſtaments, or by any Patent granted upon Judgment given in Writs of *Eſcheat* or *Ceſſavit*; and the ſaid Perſon, or any claiming under them, now being in Poſſeſſion of the ſame, be, by this preſent Act, ratified, confirmed and declared good and legal to all Intents and Purpoſes whatſoever.

Proviſo.

II. PROVIDED always, That ſuch Poſſeſſors or Purchaſers, their Heirs or Aſſigns, have or ſhall continue in quiet or peaceable Poſſeſſion of the ſame for the Space of Seven Years, without any Claim or Interruption: And the ſaid Sales, Patents, Decrees, and Poſſeſſions as aforeſaid, to be a perpetual Bar againſt all Manner of Perſons claiming or to claim any Right or Title by Deſcent, Purchaſe, Marriage, or Limitation, for or by reaſon of any former Grant, Gift, Patent, or Conveyance; any Law, Cuſtom, or Uſage in any wiſe to the contrary notwithſtanding.

When Writs of *Eſcheat* are granted, the Provoſt-marſhal is to enquire of the true Value of the Eſtate, &c.

III. AND it is hereby enacted and declared by the Authority aforeſaid, That in all Writs of *Eſcheat* hereafter to be granted, the Provoſt-marſhal be commanded to enquire, by a Jury of Twelve free and lawful Men, upon their Oaths, (they being then upon the Premiſſes) the true Value of all and ſingular the Real Eſtate which any Perſon ſo dying without Heirs was, at the Time of his Death, ſeiſed of; and that after Office found and returned into the Supreme Court, and Judgment thereupon given and recorded, it be lawful for the Governor for the Time being, or in his Abſence the Commander in Chief, to paſs any Grant of the ſaid Eſcheated Eſtate under the Broad Seal of this Iſland. Provided, That a Clauſe be therein inſerted, that the ſaid Grant ſhall determine and be void, in caſe any right Heir appears and claims the ſame, and legally approves himſelf to be Heir, within Three Years after the Date of the ſaid Patent; and that the Value of the ſaid Eſcheated Eſtate, as it was appriſed at, ſhall be ſecured, to be paid into the Treaſury of this Iſland after the Expiration of Three Years from the Date of the Patent, if no Heir in the mean Time ſhall obtain the ſame, by ſuch Perſon or Perſons to whom the Governor or Commander in Chief aforeſaid ſhall by Patent under the Broad Seal of this Iſland grant the ſame; and that the Treaſurer or Receiver be hereby required to pay or cauſe to be paid the Sum or Sums of Money the ſaid Eſcheated Eſtate was valued at out of the Treaſury, unto or for the Uſe of ſuch Heir who ſhall claim the ſame, and approve himſelf to be Heir, before any other Payment whatſoever; which Proof of the Heir's Title ſhall be made by any public Atteſtation, or otherwiſe, as ſhall be believed to be Evidence by the Judges and Jury; to be recovered at any Time without Limitation.

Bills of Sale acknowledged before a Judge, and duly recorded ſhall be valid in Law.

IV. AND be it further enacted by the Authority aforeſaid, That all Bills of Sale and Conveyances whatſoever heretofore made, or that hereafter ſhall be made, by Huſband and Wife, and acknowledged before the Judge of any Court of Record within this Iſland, and duly recorded, ſhall be good and valid in Law againſt all Perſons whatſoever that can or may pretend to claim any Eſtate in the Lands or Tenements ſo conveyed, to all Intents and Purpoſes whatſoever, as if the ſame had paſſed by Fine and Recovery in any of his Majeſty's Courts of *Weſtminſter*.

Proviſo.

V. PROVIDED always, That where any true and valuable Improvement is made on ſuch Eſcheated Land by the Patentee or Patentees during the ſaid Three Years, that ſuch Heir before his entering upon the ſame ſhall ſatisfy and pay unto ſuch Patentee or Patentees all ſuch Charges as the Chancellor for the Time being ſhall judge to be reaſonably expended, together with the Intereſt of the ſame, according to the Cuſtom of this Country; any Thing herein contained to the contrary notwithſtanding.

1681. ## *An Act for eſtabliſhing Courts, and directing the Marſhal's Proceedings.*

Act 19. FOR the better and more orderly Regulation and Eſtabliſhment of the ſeveral Courts of Juſtice within this Iſland, as well in reſpect of the Time and Place for holding the ſame, and alſo directing the Marſhal's Proceedings; be it enacted by the Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That the Judges of the Supreme Court of Judicature for the Time being are hereby fully impowered and authorized to have Cognizance of all Pleas, Civil, Criminal, and Mixt, as fully and amply, to all Intents and Purpoſes whatſoever, as the Courts of *King's Bench*, *Common Pleas*, and *Exchequer*, within his Majeſty's Kingdom of *England*, have or ought to have; and the ſaid Court ſhall be duly and conſtantly kept at the Town of St. *Jago de la Vega*, and not elſewhere, once every Three Months, and not oftner; and that there be Five Judges at the leaſt appointed to hold the ſame Court, Three whereof to be a *Quorum*; and that the ſeveral inferior Courts of *Common Pleas*, eſtabliſhed, or that ſhall be eſtabliſhed in the ſeveral Precincts of this Iſland, ſhall have Juriſdiction over all Cauſes, wherein any Freehold is not concerned, to the Value of Twenty Pounds, with Coſts, and no more; and that the ſame be held and kept at the ſame Time and in the ſame Place of the reſpective Precincts, where the Juſtices of the Peace ſhall hold and keep the Quarter-ſeſſion once every Three Months; and that none of the ſaid Courts be kept oftner, nor in any other Place or Manner than is hereby declared.

Judges of the Supreme Court to have Cognizance of all Pleas.

Proviſo. II. Provided always, and it is hereby enacted by the Authority aforeſaid, That in reſpect *Port Royal* is the chief Seat of Trade within this Iſland, and it is found by Experience that a quicker and more ſpeedy Diſpatch of all Maritime and Merchandizing Affairs gives the greateſt Satisfaction to all Parties concerned, it ſhall and may be lawful for the Judge or Judges of the Court there eſtabliſhed, to hold and keep the ſame once every Two Months, and not oftner; and that it ſhall and may be lawful for the Chancellor here for the Time being, upon Application made, to grant a Juſtice to any of the inferior Courts within this Iſland; any Thing herein contained to the contrary notwithſtanding.

No Judge to officiate in his Office before he has taken the Oath of Allegiance. III. And be it further enacted by the Authority aforeſaid, That it ſhall not be lawful for any Perſon or Perſons whatſoever, appointed, elected, or choſen to be Judge or Judges of the aforeſaid Courts, to execute or officiate his or their ſaid Place or Office, until ſuch Time as he or they ſhall reſpectively take the Oaths of Allegiance and Supremacy in open Court; and that none of the ſaid Judges, directly or indirectly, ſhall aſk, demand, or receive any other Profit, Benefit, or Advantage from any of the Clerks of the ſaid Courts, or other Perſon whatſoever, under Colour or Pretence of ſuch their Place, Office, or Authority, but what is allowed them by the Acts of this Iſland, under Penalty of Five Hundred Pounds of current Money of this Iſland.

Judges to eſtabliſh Rules and Orders in their Courts. IV. And be it further enacted by the Authority aforeſaid, that all and every of the Judges of the ſeveral Courts before mentioned, be and are hereby ſufficiently impowered to make, order, and eſtabliſh all ſuch Rules and Orders for the more orderly practiſing and proceeding in their ſaid Courts, as fully and amply, to all Intents and Purpoſes whatſoever, as all or any of the Judges of the ſeveral Courts of the *King's Bench*, *Common-Pleas*, and *Exchequer* in *England* legally do; and that no Counſellor or Attorney be ſuffered to practiſe in any of the ſaid Courts, until they be firſt admitted by the ſame, and have taken as well the Oath of an Attorney, as the Oaths of Allegiance and Supremacy, under the Penalty of Twenty Pounds of current Money of this Iſland.

Counſellor, &c. miſtaking his Client's Cauſe, to pay Coſts of Suit. V. And whatſoever Counſellor or Attorney ſhall, by Negligence or Ignorance, miſtake his Client's Cauſe, and imperfectly lay his Action, or ill draw the Declaration, whereby the Client ſhall ſuffer a Nonſuit, he or they ſo offending ſhall be liable, by Rule of Court, without any other Proceſs or Courſe of Law whatſoever, to pay unto the Party aggrieved full Coſts of Suit.

VI. And

1681.

VI. And to the End that no Perſon ſhall be damnified by Miſtake of his Lawyer for Matter of Form only, be it enacted and declared by the Authority aforeſaid, That the Judges ſhall at all Times, on Motion made in Court, order Amendments; and ſhall not, upon Arreſt of Judgment, or Writ of Error, for Matter of Form only, reverſe any Judgment whatſoever.

No Perſon to ſuffer by Miſtake of his Lawyer.

VII. And be it enacted and declared by the Authority aforeſaid, That no Action of Waſte ſhall be permitted to be brought, or allowed to lie within any Court of this Iſland; and that no Freeholder whatſoever, being of known Reſidence, ſhall be arreſted by any Proceſs out of any of the ſaid Courts, upon the Penalty of Twenty Pounds current Money, to be paid by the Plaintiff to the Party ſo arreſted; and what Action, or other Proceeding whatſoever, ſhall be entered, ſued, had, made, or proſecuted thereupon, contrary to the true Intent and Meaning thereof, ſhall and is hereby declared to be void and of no Effect, to all Intents and Purpoſes whatſoever.

No Action of Waſte allowed to lie in any Court.

VIII. And that no Suit be had, or Proceſs taken out of the Supreme Court of Judicature, for any Matter or Cauſe of Action under the Value of Twenty Pounds current Money of this Iſland, upon Penalty of Twenty Pounds of the like Money, to be paid by the Plaintiff in the ſaid Action; but that the ſame be tried in the Court of the Precincts where ſuch Cauſe of Action doth ariſe, provided that both Parties reſide there; and that the Inhabitants and Reſidents in St. *Catharine*'s, St. *Dorothy*'s, St. *Thomas in the Vale*, and St. *John*'s, ſue as formerly in the Supreme Court, for any Sum whatſoever, until they ſhall have petty Courts in their own Pariſhes; any thing in this Act to the contrary notwithſtanding.

Penalty on Perſons taking out Writs when the Debt amounts not to 20*l.*

IX. And it is further enacted by the Authority aforeſaid, That in all and every the inferior Courts within this Iſland, upon Summons duly ſerved, and the Defendant not appearing, Judgment ſhall go by Default, in the ſame Manner and Form as in the Supreme Court.

Judgment to go againſt Defendant, if he appears not, &c.

X. Provided always, that it is the true Intent and Meaning of this Act, That as well in the Supreme Court as any other the inferior Courts within this Iſland, the Provoſt-marſhal, or his lawful Deputy, ſhall appear in open Court, and there depoſe upon Oath, that the Party or Parties, againſt whom Judgment ſhall go by Default, hath been legally ſummoned Fourteen Days before the ſaid Court; any thing in this Act, or any other to the contrary notwithſtanding.

Proviſo.

XI. And it is likewiſe enacted and ordained by the Authority aforeſaid, That upon any Declaration exhibited in Debt upon any Specialty or Bill under Hand; or in caſe of a Book Debt, upon *Conceſſit ſolvere*, and diſcloſing the Special Matter to the Chief Judge of the Supreme Court of Judicature, that the ſaid Debtor, againſt whom the Plaint is entered, is either gone off this Iſland, or that upon Proceſs already taken out againſt him, a *Non eſt inventus* hath been returned, Attachment ſhall then iſſue, thereby commanding the Provoſt-marſhal, or his lawful Deputy, to attach ſuch Monies, Goods, Chattels, or Debts, in the Hands of the Poſſeſſors of the ſame, be they Attorney, Wife, Servant, or any other Perſon; and alſo require them to appear at the next Court to ſhew Cauſe why the ſaid Money, Goods, Chattels, or Debts, or ſo much thereof as will ſatisfy the ſaid Debts then demanded, ſhould not be delivered to the Plaintiff; at which Day, if the ſaid Poſſeſſor or Debtor, be they Attorney, Wife, Servant, or other Perſon as aforeſaid, be convicted by Confeſſion, Verdict or otherwiſe, that the ſaid Monies, Goods, Chattels, or Debts, do properly belong to the Perſon ſo gone off this Iſland, or otherwiſe abſented himſelf as aforeſaid; and if the Plaintiff, before or after due Proof made, do ſolemnly ſwear in open Court, that his Debt is true, and that, directly or indirectly, no Part or Parcel of what he demanded is ſatisfied, and alſo give in Security in double the Sum he demands to reſtore the ſame, with treble Damages, or ſo much thereof as ſhall at any Time afterwards be diſproved; that then, and in all ſuch Caſes, the Plaintiff ſhall have Judgment to recover the ſaid Debt out of the ſaid Money, Goods, Chattels, or Debts, ſo attached as aforeſaid. Provided always, That if any will appear as Attorney to the ſaid Debtor, and put in Bail to anſwer the Action, and pay the Condemnation, that then, and in all ſuch Caſes, the

Upon Proof of Proceſs ſerved, &c. Attachment may be iſſued.

1681. Attachment on the ſaid Money, Goods, Chattels, or Debts ſhall be diſſolved, and Proceedings had, according to the Cuſtom of the Common Law; but if the Poſſeſſor or Owner of ſuch Money, Goods, Chattels, or Debts, be they Attorney, Wife, Servant, or other Perſon, as aforeſaid, ſhall, after Attachment ſo laid on them in the reſpective Hands, diſpoſe of the ſaid Money, Goods, Chattels, or Debts, towards the Payment of any other Debts, before the ſaid Debt, for which the Attachment was laid, be ſatisfied, or the ſaid Attachment be diſſolved; that then, and in all ſuch Caſes, the ſaid Party for ſuch their Default, ſhall be liable to make Satisfaction to the Plaintiff out of their own proper Eſtates.

How Debts under 40*s.* ſhall be recovered.

XII. And be it further enacted and ordained by the Authority aforeſaid, That in all Debts not exceeding Forty Shillings, upon Complaint made to any Juſtice of the Peace, that the Debtor againſt whom he complaineth is gone off thi Iſland, or otherwiſe abſented himſelf, that then it ſhall and may be lawful fo the ſaid Juſtice of the Peace to iſſue out a Warrant of Attachment, to be levied by the Conſtable in Manner and Form as is before preſcribed, to the Provoſt-marſhal for the Execution of the Writ, and to be immediately determined by the ſaid Juſtice; any Clauſe in this Act, or any other to the contrary notwithſtanding.

The Manner of ſerving all Proceſſes.

XIII. And be it further enacted and ordained by the Authority aforeſaid, That all Summons, and all other Proceſs hereafter mentioned, ſhall be ſerved and executed in Manner and Form as is herein directed, and in no other Manner or Way whatſoever; that is to ſay, That all Summons as well from the Supreme Court as all other the inferior Courts within this Iſland, *Port Royal* only excepted, ſhall be delivered to the Party, or left at their reſpective Dwellings, Fourteen Days before the ſeveral Courts, by a ſworn Marſhal; and that at *Port Royal* all Summons ſhall be delivered * Ten Days before the Court, otherwiſe it ſhall be deemed and taken as no Service, and the Defendant not bound by it to appear; and that all Replevins, foreign Attachments at the Supreme Court, and Warrants of Arreſt, be ſerved at any Time, as heretofore; and that no Execution ſhall be taken out, ſerved, or executed, until Twenty-eight Days be fully expired after Judgment, except at *Port Royal*, where Execution ſhall iſſue Ten Days after Judgment obtained; and that no Negroes, Horſes, or any Manner of Utenſils belonging to a Plantation, Brick, or Pot-work, nor any other Negroes whatſoever, from and after the making hereof, ſhall be taken in Execution, where the Party, againſt whom the Execution is obtained, ſhall offer Goods for Satisfaction of the Debt and Coſts of Suit.

* In 1735 made 14 Days.

Clauſe in Favour of Perſons whoſe Goods are taken in Execution.

XIV. And it is further enacted, That the ſaid Defendant, who hath his Goods taken upon Execution, ſhall have free Liberty to convey and carry off the Goods ſo taken, at his own proper Coſts and Charges, to the next and moſt convenient Place and Market, for Diſpoſal of the ſaid Goods, and there ſhall have free Power and Liberty to make Contracts, bargain for, and ſell the Goods ſo taken in Execution, the Defendant firſt acquainting the Marſhal who levied the Execution upon the Goods with ſuch Bargain or Contract, to the end the Marſhal may deliver the ſame, and receive the Produce thereof, according to his Precept.

Within what Time they are to be ſold.

XV. And it is further enacted by the Authority aforeſaid, That if the Defendant, after his Goods ſhall be ſo taken in Execution, as aforeſaid, ſhall delay, or neglect ſelling or diſpoſing of the Goods until Ten Days before the next enſuing Court, that then, and in all ſuch Caſes, it ſhall and may be lawful for the Marſhal to take the ſaid Goods and Chattels of the Defendant, and the ſame to ſell by public Outcry.

How the Marſhal is to behave where no Diſtreſs can be made but on Negroes, *&c.*

XVI. And it is further enacted by the Authority aforeſaid, That where no ſuch Goods as aforeſaid ſhall be ſhewn and offered to the Provoſt-marſhal, ſo that the Negroes, working Cattle, or neceſſary Utenſils muſt be taken in Execution, that then, and in all ſuch Caſes, the ſaid Negroes, Horſes, or Utenſils, ſhall not be removed, but remain ſtill in the Defendant's Poſſeſſion; and that upon the Marſhal's Return at the ſame Court as aforeſaid, that he hath levied ſuch Effects, and left them in the Defendant's Hands, there iſſue out a *Venditioni exponas*, without any Charge of Mile-money, in theſe Words following:

The

1681.

The KING to the Provoſt-Marſhal; Greeting.

WHEREAS We lately commanded thee by Our Writ, That of the Goods and Chattels Real and Perſonal, of A. B. *thou ſhouldeſt levy, or cauſe to be levied, as alſo Coſts of Suit which* C. D. *hath recovered againſt him; by virtue of which Writ thou didſt return unto Us, That thou hadſt taken in Execution of the ſaid* A. B. *to the Value of the ſaid Debt and Coſts of Suit; which ſaid Goods remain in the Cuſtody of the ſaid* A. B. *We therefore command thee, That the Goods of the ſaid* A. B *by thee in Form aforeſaid taken, thou expoſe to Sale, and the Money thereof coming, thou immediately render to the ſaid* C. D. *for his Debt or Damages, and Coſts, as aforeſaid; but if the Goods aforeſaid ſhall be imbezilled or made away, or that the ſaid* A. B. *doth not deliver the ſame, that then thou levy the ſaid Debt or Damages, and Coſts, upon any other the Goods and Chattels of the ſaid* A. B. *and immediately expoſe the ſame to Sale; and if thou canſt not find ſufficient Goods or Chattels, by which the whole Debt or Damages, and Coſts, may be ſatisfied, that then thou take the Body of the ſaid* A. B. *and him ſafely keep, ſo that thou have his Body before Us at Our next Court, to ſatisfy the ſaid* C. D. *of the ſaid Debt or Damages, and Coſt, or ſo much thereof as by thee cannot be levied; and have thou then and there this Writ. Witneſs,* &c.

Goods to be ſold by public Outcry at the next Court of the Precincts, &c.

By Virtue whereof the ſaid Goods ſhall be ſold by publick Outcry at the next Court of the Precincts where the Goods are taken; and if they are ſo arreſted or taken in the Pariſh of St. *Catharine*'s, St. *Dorothy*'s, St. *Thomas in the Vale*, or St. *John*'s, until they ſhall have petty Courts of their own erected, Publication ſhall be then made at the ſame Court that the Return is made, that the ſaid Goods ſhall be ſold Twenty Days after, by public Outcry, in the Parade-place of St. *Jago de la Vega*; and the Money ariſing from the ſaid Sale, ſhall not remain in the Marſhal's Hands, but be paid to the Plaintiff, or his Order, within Ten Days, under the Penalty of Half the Debt; to be recovered by the Plaintiff, to his own Uſe, in any Court of Record within this Iſland, where no Eſſoin, Protection, or Wager of Law ſhall be allowed.

Execution not to be levied on Negroes, &c. if any other Cattle can be found on the Premiſſes.

XVII. AND it is further enacted by the Authority aforeſaid, That where the Perſon againſt whom ſuch Execution is iſſued hath not the Goods afore mentioned in this Act by him to ſhew, and offer to the Marſhal within the Time preſcribed, that nevertheleſs, the Marſhal ſhall not lay the Execution upon any Negroes, working Cattle, or Utenſil, upon or belonging to any Plantation, Brick, or Pot-work, or any other Negroes whatſoever, if the Defendant ſhew or deliver to him any other Stock or Cattle, being in a Pen, the ſaid Cattle or Stock to be ſold by public Outcry, upon *Venditioni exponas*, to be iſſued as aforeſaid.

Damages to Goods, &c. to be borne by the Defendant.

XVIII. AND it is further enacted and ordained by the Authority aforeſaid, That all Accidents that happen whilſt the Goods that are taken in Execution remain in the Defendant's Poſſeſſion, be borne and made good by the Defendant; and that no Property ſhall be by the Defendant transferred, or made in or to any ſuch Goods that ſhall be ſo taken in Execution by virtue of this Act.

Proviſo.

XIX. PROVIDED always, and it is hereby further enacted and declared, That where the Body of the Defendant ſhall be taken in Execution, that nevertheleſs, if any Effects afterwards appear, the Plaintiff may take out another Execution, and levy the ſame on the ſaid Effects, for Satisfaction of the ſaid Debt; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Priſoner having nothing to maintain him, may, by Order of Court, be let to hire, &c.

XX. AND it is further enacted by the Authority aforeſaid, That where any Priſoner or Priſoners under Execution ſhall have nothing to maintain him, her, or themſelves, that then he, ſhe, or they, diſcloſing the ſame upon Oath unto Two Juſtices of the Peace of the Pariſh where he, ſhe, or they ſhall be Priſoners, and making it appear to the Judges of the Supreme Court, that he, ſhe, or they have given Notice to all their Creditors Ten Days before the ſaid Court, that they, or either of them, intend to take the Benefit of this Act, bringing likewiſe to the ſaid Court a Certificate of ſuch their Oath, under the Hands and Seals of the ſaid Juſtices; that then the Priſoner or Priſoners ſo taken in Execution

1681. ecution ſhall be publicly let to hire at the ſaid Court, the Marſhal receiving for his Fees a proportionable Share with the other Creditors; and the Money ſo ariſing from the ſaid Hire ſhall be paid to ſuch Perſons as the Court ſhall appoint, to be equally divided among the Creditors, as aforeſaid; but in caſe any Creditor ſhall refuſe to conſent to letting the ſaid Priſoner or Priſoners to Hire, that then ſuch Creditor ſhall pay, or cauſe to be paid, to the ſaid Priſoner or Priſoners Three Shillings and Six Pence Weekly.

Creditor diſſenting, ſhall pay him 3*s.* 6*d. per* Week.

Future Acquiſitions liable to ſatisfy Creditors.

XXI. Provided always, and it is hereby enacted, That if any Priſoner or Priſoners ſo let to Hire ſhall at any Time afterwards come to have or enjoy an Eſtate, having not firſt ſatisfied their Debts, that then, at all Times hereafter, the Judgment obtained againſt him, her, or them, ſhall remain good and in Force, and another Execution ſhall be taken out and levied againſt the Goods and Chattels of the ſaid Priſoner or Priſoners, whereſoever they ſhall be found.

Penalty on the Provoſt-marſhal miſbehaving himſelf.

XXII. And be it further enacted by the Authority aforeſaid, That if the Provoſt-marſhal by himſelf, or any of his Deputies, ſhall levy any Execution in any other Manner than what is herein before declared, or ſhall aſk, demand, or receive any Mile-money for the executing any Writ of Execution, or *Venditioni exponas*, ſhall forfeit One hundred Pounds, current Money of this Iſland, for every ſuch Offence; to be recovered in any Court of Record within this Iſland, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed; the one Moiety whereof ſhall be to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; the other Moiety to the Party aggrieved.

Diſpoſition of Forfeitures.

XXIII. And it is further enacted by the Authority aforeſaid, That the ſeveral Fines, Forfeitures and Penalties before mentioned in this Act, and not declared how they ſhall be diſpoſed of, ſhall be recovered in any Court of Record within this Iſland, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed; the one Moiety whereof ſhall be to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Moiety to the Informer, or he that ſhall ſue for the ſame.

An Act appointing where the Laws of this Iſland ſhall be lodged.

Act 20. WHEREAS no Place hath been hitherto appointed for the lodging and ſecuring the Acts of this Iſland, ſo that his Majeſty's Subjects have been at no Certainty where to find the ſame, and take Copies thereof, to their great Detriment and Inconveniency; for Remedy whereof for the future, be it enacted and ordained by the Governor, Council, and Aſſembly, and it is hereby enacted by the Authority of the ſame, That from and after the End and Determination of this preſent Seſſion, as well the original Acts heretofore made and enacted ſince the Seventeenth Day of *March*, in the Year of our Lord One thouſand ſix hundred and eighty, as thoſe alſo herewith, or that ſhall hereafter be enacted, ſhall be lodged in the Secretary's Office of Enrolments at St. *Jago de la Vega*, and not elſewhere; and the Secretary for the Time being ſhall, at all Office Hours, be ready to ſhew all or any of the ſaid Acts, when thereunto required by any of his Majeſty's Subjects as may or ſhall have Occaſion to view the ſame; and ſhall give Copies thereof, or any Clauſe in any of them contained, for which he ſhall be allowed Eight Pence *per* Sheet, accounting Sixteen Lines to a Sheet, and Fourteen Words to a Line; and that he ſhall likewiſe be allowed for comparing and examining any Copy, containing the whole Body of the Laws, with the Originals, Forty Shillings current Money, and no more.

Where original Acts of Aſſembly of this Iſland ſhall be lodged.

Secretary's Fees.

Secretary to give Security for the faithful keeping all Acts lodged in his Office.

II. And to the end his Majeſty's Subjects may be fully ſatisfied, no Embezilment, Razure, or Defacements of the ſaid Acts or any of them, ſhall for the future be committed in the ſaid Office, it is enacted and ordained by the Authority aforeſaid, That the Secretary of this Iſland, or his lawful Deputy, that ſhall act in his Room or Stead, ſhall give in Bond, with good and ſufficient Security, to our Sovereign Lord the King, his Heirs and Succeſſors, in the Penalty of Four thouſand Pounds, in the following Condition:

THE

THE Condition of this Obligation is ſuch, That if the above-bound A. B. *ſhall and do well and faithfully execute and perform the Offices and Places of Secretary and Clerk of the Enrolments for this his Majeſty's Iſland of* Jamaica; *and alſo faithfully and truly keep and preſerve in his ſaid Office all and every of the Acts of this Iſland made ſince the ſeventeenth Day of* March, *in the Year of our Lord God One thouſand ſix hundred and eighty, ſo that his Majeſty's Subjects may have Recourſe thereunto; and do in all Things elſe comply with the Duty of the ſaid Offices, according to the Truſt repoſed in him, and according to the Laws of this Iſland in ſuch Caſes made and provided; that then the above-written Obligation to be void and of none Effect, or elſe to remain in full Force and Virtue.* 1681.

III. PROVIDED always, That neither the ſaid Secretary, nor his Deputy for the Time being, do or ſhall, from and after the Twentieth Day of *November* next enſuing, preſume to act or officiate his ſaid Office, until he or they ſhall enter into the aforeſaid Bond, with the Condition before recited, upon Penalty of Five Hundred Pounds for every Time he or they ſhall ſo officiate or act in his ſaid Office; to be recovered in the Supreme Court of Judicature in this Iſland by Bill, Plaint, or Information, wherein no Eſſoin, Protection, Injunction, Wager of Law, or *Non vult ulterius proſequi* ſhall be admitted or allowed; the one Half to be to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of his Majeſty's Iſland, and the contingent Charges thereof, and the other Half to the Informer, or him that ſhall ſue for the ſame; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding. Penalty on acting before Security given.

IV. PROVIDED alſo, and be it hereby declared, That if the Secretary, or his lawful Deputy for the time being in this Iſland, ſhall enter into Bond, as aforeſaid, which ſaid Bond ſhall be lodged as is appointed in an Act, entituled, *An Act for regulating Fees*, that then it ſhall be accounted ſufficient to diſcharge him or them from entering into any other Bond, or Security required by the Acts of this Iſland; any thing herein, or in any other Act to the contrary notwithſtanding. Proviſo.

An Act requiring all Maſters of Ships and Veſſels to give Security in the Secretary's Office. 1683.

BE it enacted by the Governor, Council, and Aſſembly, and it is enacted and ordained by the Authority of the ſame, That the Maſter of every Ship or Veſſel, or ſome other for him, in caſe of Diſability, before he trade with this Iſland, or land any Goods on the ſame (living Creatures only excepted) ſhall wait upon the Governor or Commander in Chief for the Time being, and give in Security in the Secretary's Office, with one ſufficient Freeholder or well known Merchant (ſuch as by common Repute is held to be worth ſo much) in the Sum of One thouſand Pounds current Money of this Iſland, that he ſhall not carry off this Iſland any Perſon without the Governor's Ticket, nor depart himſelf with his Ship or Veſſel without the Governor's Leave, under the Penalty of Fifty Pounds current Money of this Iſland, to be recovered by due Courſe of Law in any Court of Record within the ſame; one Third thereof ſhall be to our Sovereign Lord the King, his Heirs, and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; one Third to the Governor or Commander in Chief for the Time being, and the other Third to the Informer; which Security the Secretary of this Iſland for the Time being is hereby impowered to take. ACT 21. Maſters of Veſſels trading to this Iſland, to give 1000 *l.* Security not to carry Perſons off the Iſland without the Governor's Leave, &c.

II. PROVIDED always, and it is the true Intent and Meaning of this Act, That the Maſters of all Sloops, Barks, and Veſſels, trading to and from any Parts, Ports and Harbours within this Iſland, or that ſhall be employed in turtling or fiſhing for the Uſe of this Iſland, ſhall be obliged to give Security in the Secretary's Office but once every Year; and that all Maſters of Sloops, Barks, and Proviſo.

1683. any other Veſſels belonging to the Inhabitants of this Iſland, trading to and from this Iſland, ſhall be obliged to give Security in Manner and Form as aforeſaid but once in Six Months; any thing in the Act ſeeming to the contrary notwithſtanding.

How long a Perſon's Name ſhall be ſet up in the Secretary's Office, before a Ticket ſhall be granted him to go off the Iſland, &c.

III. And be it further enacted by the Authority aforeſaid, That the Secretary of this Iſland for the Time being, or his lawful Deputy, ſhall not deliver any Perſon a Ticket, under the Hand of the Governor, to go off this Iſland, unleſs his Name have been ſet up in the Secretary's Office One and Twenty Days; a Liſt of which Names ſhall be duly ſet up in the Secretary's Office, both at St. *Jago de la Vega* and *Port Royal*; and that the ſaid Perſon do bring before him one or more of good Credit and Repute to make Oath (which Oath any Juſtice of the Peace, except the ſaid Secretary, is hereby impowered to adminiſter) that he hath known him or her to go by that Name for One Year, if he or ſhe have been here ſo long; if not, then that he hath known him or her by that Name ſo long as he or ſhe hath lived in this Iſland; and that the ſame Affidavit be kept filed in the ſaid Office, otherwiſe that he take good Security for the paying ſuch Perſon's Debts ſo departing; all which the ſaid Secretary is bound to obſerve, under the Penalty of being liable himſelf to ſatisfy all the Creditors of ſuch Perſon or Perſons, or Maſters or Miſtreſſes of Servants, ſo obtaining a Ticket, or otherwiſe carried off by any Maſter of Ship or Veſſel that ſhall not have given ſufficient Security, according to the Intent and true Meaning of this Act; by which the aggrieved Perſon ſhall, by Virtue of this Act, have Remedy at Common Law againſt the ſaid Secretary, Deputy-Secretary, or his or their Security. Provided nevertheleſs, That if the ſaid Bonds are not ſued within Two Years after their ſeveral Dates, they are hereby declared null and void to all Intents and Purpoſes whatſoever.

Proviſo.

IV. Provided always, and it is hereby declared to be the true Intent and Meaning of this Act, That the ſaid Bonds, ſo given as aforeſaid, ſhall be taken in the King's Name; but are hereby declared to be only to and for the Uſe and in Truſt for the Perſon or Perſons concerned. And that when any of the ſaid Bond ſhall be put in Suit, and Judgment thereupon obtained, the Judgment ſhall remain in the ſame Nature the Bonds were, and that no Execution iſſue out thereupon, before the Perſon aggrieved ſhall by *Scire Facias*, or other Proceſs, ſummon the Perſon or Perſons, againſt whom the Judgment aforeſaid is obtained, to appear and ſhew Cauſe why Execution ſhould not iſſue upon the ſaid Judgment; and if the Plaintiff in the ſaid *Scire Facias* ſhall duly prove what Damages he hath ſuſtained, and thereupon a Verdict be found for him, the Judges ſhall in ſuch Caſes award Execution for ſo much as the Jury ſhall then find, and no more; and the former Judgment is hereby decl red ſtill to remain cautionary, for the Satisfaction of ſuch other of his Majeſty's Subjects as ſhall legally prove themſelves damnified, and recover the Damages, as aforeſaid, by due Courſe of Law; and if any Judgment have been already obtained, and thereupon Execution taken out for the whole Sum mentioned in the Bond, that in ſuch Caſes the ſaid Judgment remain in Force; but that all Proceſs thereupon do ſurceaſe and be ſtopt, and that no Benefit be had of the ſaid Judgment before the *Scire Facias* be taken out, and the Damages legally proved, as aforeſaid.

Where and how long the Secretary's Office ſhall be kept open, &c.

V. Provided alſo, That the ſaid Secretary, or his Deputy, be obliged to keep his Office both at *Port Royal* and St. *Jago de la Vega*, and give Attendance at both Places from Eight to Eleven of the Clock in the Morning, and from Two till Five of the Clock in the Afternoon, except on *Sundays* and ſuch Holidays as are uſually obſerved in this Iſland, under the Penalty of Twenty Pounds current Money of this Iſland; the one Moiety whereof to be to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; the other Moiety to the Informer; to be recovered in any Court of Record by Action, Bill, Plaint, or Information, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed.

An Act encouraging the Settling of this Iſland. 1683.

ACT 22.

What Qualifications are requiſite for Perſons to be naturaliſed.

BE it enacted and ordained by the Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That it ſhall and may be lawful for the Governor, or Commander in Chief for the Time being, or any of his Succeſſors, Governors of this Iſland, by Inſtrument under the Broad Seal of the ſame, to make any Alien or Aliens, Foreigner or Foreigners, being already ſettled in this Iſland, or ſuch as ſhall hereafter come to ſettle and plant in it, having firſt taken the Oath of Allegiance, to be to all Intents and Purpoſes fully and completely naturaliſed; and that the ſaid Perſon ſo approved of, and named in the ſaid Letters Patents, as aforeſaid, ſhall, by virtue of this Act, have and enjoy, to them and their Heirs, the ſame Immunities and Rights of and unto the Laws and Privileges of this Iſland, in as full and ample Manner as any of his Majeſty's natural born Subjects have or enjoy within the ſame, or as if they themſelves had been born within any of his Majeſty's Realms or Dominions; any former Law, Act, Ordinance, Uſage, or Cuſtom to the contrary notwithſtanding.

Governor's Fees.

II. AND to the Intent the ſaid Letters Patents and Inſtruments, under the Broad Seal of this Iſland aforeſaid, may be obtained without any great Difficulty or Charge, be it therefore enacted and ordained by the Authority aforeſaid, That the Governor, or Commander in Chief, ſhall have and receive for the ſame, Five Pounds current Money of this Iſland; and his Clerk for writing of it, Ten Shillings; and no more ſhall be paid to any Perſon or Perſons for the paſſing the ſame, upon any Pretence whatſoever.

Deviſes, &c. from Aliens are hereby confirmed.

III. AND whereas ſeveral Aliens and Foreigners that have formerly tranſported themſelves to this his Majeſty's Iſland, have taken up and patented in their own Names ſeveral Parcels of Land, or otherwiſe made Purchaſes of Lands, Houſes, or other real Intereſt, and afterwards the ſame have been ſold, deviſed, or elſe taken by *Eſcheat* or *Ceſſavit*, and granted to any of his Majeſty's liege People, Inhabitants of this Iſland; it is therefore hereby enacted and ordained by the Authority aforeſaid, That all ſuch Perſon or Perſons that have ſo bought, or do hold by virtue of any Deviſe of any Alien or Aliens, any Lands, Houſes, or Tenements, be as well ſecured, and by virtue of this Act be for ever confirmed in the quiet and peaceable Poſſeſſion of all ſuch Purchaſes or Deviſes, as if they had been ſold or deviſed by any of his Majeſty's natural-born Subjects, and ſhall be good to their Heirs and Aſſigns for ever; any former Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

An Act for ordering Boats and Wherries, and better Government of Seamen.

ACT 23.

Prices to be taken by Boatmen, &c. for Carriage of Goods or Perſons.

BE it enacted by the Governor, Council, and Aſſembly, and it is hereby enacted by the Authority of the ſame, That no Shallopman, Boatman, or Wherryman, or any other Perſon or Perſons employed in any Shallop, Boat, Wherry, or other Veſſel, ſhall aſk or demand for Tranſportation of any Goods, Perſon, or Perſons, but according to the Rates hereafter mentioned; *viz.*

II. FOR a Boat, or Wherry, from *Paſſage Fort* to *Port Royal*, *Salt Ponds*, or St. *Andrew*'s, or from St. *Andrew*'s to *Paſſage Fort*, or backwards from any of the aforeſaid Places in the Day-time, Two Shillings and Six-Pence, and in the Night, Three Shillings; and at uſual Times when there are Six Paſſengers or more, of every Perſon, Six-Pence: And whatſoever Wherryman ſhall refuſe to carry any Perſon to or from the aforeſaid Places at the Rate aforementioned, ſhall forfeit Twenty Shillings; to be recovered from the Owner of ſuch Boat by a Warrant of Diſtraint from any of his Majeſty's Juſtices, and to be diſpoſed of for the Poor of the Pariſh.

III. AND the Freight of any Goods or Liquors betwixt any of the aforeſaid Places, Three-Pence the Hundred.

IV. FOR

1683. IV. For any Quantity not exceeding a Barrel, Seven-Pence Halfpenny *per* Barrel, and Eight-Pence *per* Hogſhead.

V. And that no Boatman or Shallopman have for the Freight of One hundred Weight of any Goods, if he brings them from the North Side of this Iſland, between the Eaſtermoſt Point and *Point Negril*, to any Part of the South Side, more than Two Shillings, provided the ſame exceed not the Quantity of a Barrel.

VI. For every Barrel, Three Shillings.

VII. And for every Hogſhead, Eight Shillings; and ſo proportionably for a greater Quantity than a Barrel.

VIII. And for every Head of great Cattle brought alive, Ten Shillings.

IX. And for a Sheep or a Hog, Twelve-Pence.

X. And for every Paſſenger, Two Shillings.

XI. And the ſame Rates they ſhall receive for Paſſengers, Goods, or Cattle, from the South Side to the North Side.

XII. And that each Boatman have for the Freight of any Goods from *Port Royal* to *Port Morant*, or *Richardſon's Bay*, or any Landing-place to *Port Royal*, Nine-Pence *per* Hundred, not exceeding an Hogſhead, except it be Barrels, at Two Shillings *per* Piece.

XIII. And for an Hogſhead, Five Shillings.

XIV. And for Wood, which they ſhall carry at Ten Shillings *per* Ton.

XV. And Eighteen-Pence *per* Head for Paſſengers.

XVI. And that they ſhall have from *Port Royal* to any Part of St. *David's*, or from any Part of St. *David's* to *Port Royal*, Six-Pence for every Hundred, not exceeding an Hogſhead.

XVII. And for every Hogſhead, Four Shillings.

XVIII. And for every Paſſenger, Twelve-Pence *per* Head.

XIX. And for every Ton of Wood, Eight Shillings *per* Ton.

XX. And that the ſaid Boatmen or Shallopmen ſhall demand and receive for Freight of any Goods they ſhall carry to *Port Royal* from any Landing-place between *Point Negril* and *Point Pedro*, Eighteen-Pence *per* Hundred.

XXI. Two Shillings *per* Barrel, and Six Shillings *per* Hogſhead.

XXII. And from *Aligator Pond*, Twelve-Pence *per* Hundred, and Six Shillings *per* Hogſhead.

XXIII. And from *Milk River*, Twelve-Pence *per* Hundred, Two Shillings *per* Barrel, Five Shillings *per* Hogſhead.

XXIV. From *Carliſle Town*, Twelve-Pence *per* Hundred, Two Shillings *per* Barrel, and Four Shillings and Six-Pence *per* Hogſhead.

XXV. And from *Old Harbour*, Six-Pence *per* Hundred, Fifteen-Pence *per* Barrel, Three Shillings *per* Hogſhead.

XXVI. And that the ſaid Boatmen ſhall receive the ſaid Rates from *Port Royal* to any of the ſaid Places.

XXVII. And whatſoever Shallopman, Boatman, or Wherryman, or any other Perſon or Perſons employed therein, ſhall demand greater Rates than is mentioned in this Act, ſhall forfeit Ten Pounds *Sterling* for every ſuch Default; the one Half to be to our Sovereign Lord the King for and towards the Support of the Government of this Iſland and the contingent Charges thereof; and the other Half to the Informer, who ſhall ſue for the ſame in any Court of Record, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed.

No Negro to row in any Wherry, &c.

XXVIII. And be it further enacted and ordained, That no *Negro*, *Indian*, or *Mulatto*, ſhall be permitted or allowed to row in any Wherry belonging to this Iſland; and that no Owner of any Canoe ſhall be permitted to employ any of them, without having one White Man therein; and that all Owners of Boats, Wherries, or Canoes, ſhall every Night chain and lock every of them to ſome Bridge or firm Poſt, and alſo take away the Oars, Sails, and Rudder, and ſecure them in ſome ſafe Place under Lock and Key; and whatſoever Maſter or Owner of any Wherry, Boat, or Canoe, ſhall offend in any of the foregoing Clauſes, ſhall forfeit for every ſuch Offence Ten Pounds *Sterling*; to be recovered and diſpoſed of as afore mentioned.

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XXIX. Provided always, and it is hereby intended, That each Maſter or Owner of Wherry, Boat, or Canoe, ſhall have Six Months Time allowed them, from the making hereof, to furniſh themſelves with White Men, in order to the Performance of this preſent Act. Proviſo.

XXX. And it is enacted and ordained by the Authority aforeſaid, That all Maſters of Boats, Shallops, or other Veſſels that trade from Place to Place, in or about this Iſland, ſhall, every time they arrive at *Port Royal*, leave an Account of their Loading in Writing at the *Naval-Office*, at any Time between Sun and Sun. Account of Veſſels Loading to be left at the *Naval Office*.

XXXI. Provided, That their Loading is nothing but the Growth, Production, or Manufactory of this Iſland; and ſuch Notice and Account, given in Writing as aforeſaid, ſhall be accounted a ſufficient Entry, and diſcharge any ſuch Maſter from any Trouble whatſoever. Proviſo.

XXXII. And it is further enacted and declared by the Authority aforeſaid, That any Perſon or Perſons, who ſhall hereafter be indicted or impleaded for the ſtealing or feloniouſly taking away of any Shallop, Boat, Wherry, Canoe, or other Veſſel from any Part of this Iſland, or ſhall be conſenting, aiding, or aſſiſting to the doing of the ſame, and ſhall thereof be convicted according to Law, ſhall be adjudged guilty of Felony. Perſons ſtealing Boats, &c. ſhall be deemed Felons.

XXXIII. And it is further enacted and declared, That if the Intention, Contrivance, or Complotting of any Perſon with others, to ſteal away any Shallop, Canoe, Boat, Wherry, or other Veſſel, ſhall evidently appear by ſufficient Proof, or their own Confeſſion; the Offender or Offenders, if free, ſhall be condemned by the Juſtices in Seſſions to pay the Sum of Ten Pounds to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof: And if the ſaid Perſon or Perſons ſo found guilty ſhall not preſently pay the ſaid Ten Pounds, or give Security for the ſame, the Juſtices in Seſſions ſhall preſently expoſe the Offender or Offenders to public Sale for the Payment thereof, not exceeding the Term of Four Years: But if the ſaid Perſon or Perſons ſo offending ſhall be Servants, then he or they ſhall be ordered by the Juſtices in Seſſions to be whipt, not exceeding Thirty-nine Laſhes on the bare Back, in ſome publick Place in the ſaid Iſland; and alſo, that he or they ſo offending ſhall, after their Time expired by Indenture, Cuſtom, or Covenant with his or their Maſter, Miſtreſs, or Employer, be ſold by the Juſtices in Seſſions for the Term of Four Years; and the Money that he or they ſhall be ſold for, ſhall be to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof. Penalty on Perſons convicted of intending to ſteal Boats, &c.

XXXIV. And it is further enacted by the Authority aforeſaid, That no Seaman belonging to any Ship or Veſſel whatſoever, ſhall be truſted for any Thing; and that whoſoever ſhall truſt him or them, or retain any of them in their Houſes, ſhall loſe his or their Money which they ſo truſted them withal, and be likewiſe liable to be proceeded againſt, as by the Act of this Country for retaining Mens Servants, and to be ſubject to all thoſe Penalties therein mentioned, excepting Matter of Trade. No Credit to be given to any Seamen.

XXXV. And if any Victualler, or Retailer of ſtrong Liquors, do truſt any Seafaring Man, not generally reſiding upon or belonging to this Iſland, above the Value of Forty Shillings, though he have Bond or Bill for the ſame, he ſhall loſe his or their Money which they ſo truſted them withal. Retailer of Strong Liquors not to give Credit to any Seaman above 40*s*.

XXXVI. And if any Commander of Ship or Veſſel ſhall entice away any Seaman belonging to any other Ship, before he be lawfully diſcharged, he ſhall forfeit Fifteen Pounds *Sterling*; the one Half thereof to the Uſe of our Sovereign Lord the King, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Half to him or them that ſhall ſue for the ſame, in any Court of Record, by Bill, Plaint, or Information; any thing herein, or in any other Act contained to the contrary notwithſtanding. Commander of Veſſel enticing Seamen from another Ship, forfeits 15*l*.

XXXVII. And whereas many Times Diſputes have ariſen at *Port Royal* about executing the Warrants of Juſtices of the Peace upon the Water which is within the Body of the ſaid Precincts; it is therefore enacted by the Authority aforeſaid, That all ſuch Warrants given by Juſtices of the Peace againſt any Perſon or Per- By whom Juſtices Warrants ſhall be executed on the Water.

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How Seamen ſhall be puniſhed who deſert their Ships.

XXXVIII. And whereas divers Seamen, out of an Opinion of employing themſelves here to better Advantage, have taken an Occaſion to deſert the Ships they belong unto juſt as they are ready to ſail, to the great endangering both Ship and Cargo; be it therefore enacted by the Authority aforeſaid, That whatſoever Seaman ſhall deſert the Ship he belongs unto, and ſhall be found or taken after the Departure of the ſaid Ship, and cannot produce ſufficient Teſtimony of his being lawfully diſcharged by the Maſter or Commander thereof, ſhall, by Order of any one Juſtice of the Peace, receive Thirty-one Laſhes on the bare Back by the common Hangman, or other inferior Servant of the Priſon, who ſhall hereby be commanded, in any publick Manner the ſaid Juſtice ſhall direct.

Penalty on Perſons going on board a Ship without Leave of the proper Officer, &c.

XXXIX. And foraſmuch as divers Inconveniencies happen by the diſorderly going on board Ships, before the Maſter hath been on Shore with the Governor, as well in the Miſcarriage of Letters, as the ingroſſing the moſt uſeful Commodities; be it further enacted by the Authority aforeſaid, That no Perſon whatſoever, without Leave of the Chief Officer upon *Port Royal*, ſhall preſume to go on board any Ship or Veſſel, at her entering into Harbour, until the Marſhal, or his Deputy, have firſt been on board with the Maſter, and brought him on Shore to the ſaid Chief Officer, under the Penalty of Forty Shillings; to be recovered by Warrant from any Juſtice of the Peace, in the ſame Manner as is directed in the Act *Impowering Juſtices to decide all Differences not exceeding Forty Shillings*; the one Half to the Informer, the other Half to the Poor of the Pariſh.

No Merchant, &c to treat with the Commander of any Veſſel, before he has been with the Governor of the Iſland.

XL. And be it further enacted by the Authority aforeſaid, That no Maſter, Merchant, Factor, or other Perſon whatſoever, preſume to treat, grant, or obtain a Promiſe for any Merchandiſe or Commodity to the Value of Ten Shillings, or any Quantity of Tonage or Freight, until the Maſter hath been with the ſaid Governor or Commander in Chief of this Iſland, or ſome other Officer as he ſhall appoint, under the Penalty of Fifty Pounds on each Perſon that ſhall ſo treat, grant, or obtain a Promiſe, as aforeſaid, any Cuſtom or Uſage to the contrary heretofore notwithſtanding; the ſame to be one Half to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Half to the Informer; to be recovered by Bill, Plaint, or Information in any Court of Record within this Iſland.

An Act for regulating Surveyors.

Act 24.

Surveyor-general not to act as ſuch before he has given Security for the faithful Performance of his Office.

Be it enacted by the Governor, Council, and Aſſembly; and it is hereby enacted and ordained by the Authority of the ſame, That no Perſon whatſoever ſhall preſume to act or perform the Office or Employment of a Surveyor-general within this Iſland, before he hath given good and ſufficient Security in the Sum of Four Thouſand Pounds, current Money of this Iſland, for the juſt and faithful Performance of his Office and Truſt, according to the Duty of his ſaid Office and Employment, and that the Bonds for Security be carefully kept and recorded in the Secretary's Office; and upon any Damages received by any Perſon from the ſaid Surveyor, or any deputed under him, in the negligent or corrupt Performance of his or their Surveys, and due Application thereon made to the Governor, the ſaid Bond ſhall be put in Suit, and due Recovery thereof made for ſuch Damages as they ſhall prove to have received, in the ſame Manner and Form as is declared and provided by the Act, entituled, *An Act requiring all Maſters of Ships and Veſſels to give Security in the Secretary's Office.*

Proviſo.

II. Provided always, and it is the true Intent and Meaning of this Act, That it ſhall and may be lawful for any Perſon or Perſons whatſoever to ſurvey, re-ſurvey, and run any dividing Lines, and give Plats of any Land already patented, or that ſhall be patented or ſurveyed within this his Majeſty's Iſland, except where the King is or ſhall be a Party; in which Caſe only the Surveyor-general,

neral, his Deputy or Deputies, or any other Perſon thereunto lawfully authoriſed by the Governor for the Time being, ſhall ſurvey, re-ſurvey, or run dividing Lines, and give Plats thereof; any Law, Cuſtom, or Uſage ſeeming to the contrary in any wiſe notwithſtanding. 1683.

III. BE it further enacted and ordained by the Authority aforeſaid, That the Surveyor-general, or any other Perſon thereunto lawfully authoriſed, as aforeſaid, ſhall, by himſelf, or his Deputy or Deputies, execute every ſuch Order or Warrant for the ſurveying or running out of Lands, as from time to time ſhall be directed to him or them, as aforeſaid, within a reaſonable Time after the proving of ſuch an Order or Warrant; that is to ſay, in any Place within the Pariſhes of St. *Catharine*, *Port Royal*, or St. *Andrew*, within one Month; in any Place within the Pariſhes of *Vere*, *Clarendon*, St. *Dorothy*, St. *John*, St. *Mary*, St. *Thomas in the Vale*, St. *David*, *or* St. *Thomas to Windward*, within Three Months; and in any other Pariſh whatſoever within this Iſland, within Six Months; upon Penalty of one Hundred Pounds, current Money of this Iſland, for every ſuch Default; the one Half to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Moiety to the Perſon aggrieved, or to him that ſhall ſue for the ſame; to be recovered in any of his Majeſty's Courts of Record within this Iſland, by Bill, Plaint, or Information, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed. Within what Time Warrants for ſurveying ſhall be executed, &c.

IV. PROVIDED always, That if any Perſon under the Pretence of ſurveying Lands, ſhall cauſe the Surveyor, or any of his Deputies, to take a Journey, and when he comes at the Time and Place aſſigned, ſhall not be there ready to ſhew him the Land that is to be ſurveyed, ſo that he cannot perform the ſame; the Parties aforeſaid ſhall pay and ſatisfy unto the ſaid Surveyor or his Deputy, Ten Shillings *per Diem* for every Day he ſhall ſo loſe, for his Pains and Charges in the ſaid Journey. Proviſo.

V. AND be it further enacted by the Authority aforeſaid, That the ſaid Surveyor-general, by himſelf, or his Deputy, erect his Office at the Town of St. *Jago de la Vega*, under the Penalty of Five Hundred Pounds, current Money of this Iſland, to be recovered and levied as aforeſaid; and that he, or his Deputy, keep or attend his Office from Eight to Eleven in the Forenoon, and from Two to Five in the Afternoon, every Day, except *Sundays* and Holidays, under the Penalty of Forty Shillings, to be recovered by Warrant from any Juſtice of the Peace, to the Uſes aforeſaid; any Cuſtom or Uſage heretofore to the contrary notwithſtanding. Where the Office of Surveyor-general ſhall be erected.

VI. PROVIDED, That a Power be left in the King's Majeſty, and his Officers, to re-examine the Surveyors for what concerns his Majeſty. Proviſo.

An Act for further directing and regulating the Proceedings of Surveyors.

ACT 25.

FORASMUCH as it hath been found by Experience, that the Act, entituled, *An Act for regulating Surveyors*, hath not ſufficiently provided againſt the ſeveral Abuſes by ſundry evil-diſpoſed Surveyors formerly, and now alſo often done and committed, contrary to their Duty and the Truſt repoſed in them, to the Damage of his Majeſty, and of his liege People of this Iſland, and which in ſome Caſes may tend to the utter Ruin of many of his good Subjects; for Prevention whereof, be it enacted by the Governor and Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That no Surveyor whatſoever preſume to deliver any Plat, whereby any Parcel of Land ſhall paſs the Broad Seal of this Iſland, before he hath himſelf, in his own Perſon, actually ſurveyed and meaſured the ſaid Land on every Side thereof, where it is acceſſible and poſſible to be done, and hath alſo ſeen the Lines fairly made, and the Corner-trees marked with the firſt Letters of his Name and Surname, expreſſed in the Order; and that the ſaid Plat ſhall truly repreſent the reſpective Parcels of Land, with their true Bounds and Bearings, and expreſſing the Sort Rules to be obſerved by Surveyors in meaſuring and platting out Lands, &c.

of

1683. of Wood every Corner-tree is of, with the Alphabetical Marks aforeſaid, and alſo inſert the Scale of the ſame, either drawn or expreſſed therein, under the Penalty of Fifty Pounds for every ſuch Default.

Surveyor to give Notice to the reputed Owner of Lands before he runs a Line upon them.

II. And be it further enacted and ordained by the Authority aforeſaid, That where any Surveyor ſhall be called, or employed to ſurvey or re-ſurvey any Parcel of Land, bounding upon any Land already taken up, the ſaid Surveyor, before he preſume to run upon any ſuch Lines, ſhall give Notice thereof to the reputed Owners or Poſſeſſors of the ſaid Land, if he know them, and that they are Inhabitants in the Precinct where the ſaid Survey or Re-ſurvey is intended to be made or done; and if he does not know the Owners of the ſaid Land, or that the ſaid Owners dwell not in the Precinct, that then he give Notice to the Two next Neighbours, under the Penalty of Twenty Pounds for every ſuch Default.

Surveyor to lay out no Land for his own Uſe.

III. And be it further enacted and ordained by the Authority aforeſaid, That no Surveyor ſhall preſume to ſurvey or lay out any Land to paſs the Broad Seal of this Iſland, directly or indirectly, for his own Uſe, but ſhall employ ſome other Surveyor to do the ſame, under the Penalty of Fifty Pounds.

IV. And whereas ſundry Surveyors have practiſed to give Plats to paſs the King's Grant for ſeveral Parcels of Land, upon ſome of which Parcels they have, either through Negligence or evil Deſign, never made any actual Survey, *viz.* either marking one Corner-tree or more, and running and marking no Line, but projecting the Whole, or elſe ſome Part where the natural Situation of the Land would well permit the due Survey and cutting Lines, which tends to the Diſhonour of his Majeſty, and great Damage, even in ſome Caſe to the Ruin of many of his good Subjects of this Iſland; be it therefore enacted and ordained by the Authority aforeſaid, That all preſent Surveyors who have given Plats, whereby any Parcel of Land hath paſſed the Broad Seal of this Iſland, without actual ſurveying on all Sides where the Situation of the ſaid Land makes it poſſible to be done, ſhall on Requeſt to them made at any Time, complete any former Survey, according to the Plat by them given, running fair Lines where they had before projected only, and marking Trees in the ſaid Lines with Three Notches in Wood-land, according to Cuſtom, and making fitting Marks in other Lands.

Surveyor to re-ſurvey Land-, if his former Surv y was not taken on all Sides.

Proviſo.

V. And it is hereby alſo provided, That no Surveyor, or who hath executed the Office as a Surveyor, is hereby obliged to make Re-ſurvey, or cut Lines in Lands which have been patented more than Four Years; and whatſoever Surveyor, or that hath executed the Office of a Surveyor in this Iſland, ſhall, after due Requeſt, as aforeſaid, deny, refuſe, or delay to cut the aboveſaid Lines, and rectify the above mentioned Errors, in ſuch Manner as is before expreſſed, ſhall forfeit for every Three Months they ſhall ſo deny, refuſe, or delay the ſame, the Sum of Twenty Pounds, to be recovered in any Court of Record in this Iſland; one Half whereof to our Sovereign Lord the King, for the publick Uſe of this Iſland, and the other Half to the Informer, Party injured, or who will ſue for the ſame.

VI. And for Prevention of Diſputes and Differences that may ariſe alſo of an evil Practice of ſome Surveyors, who, when an Order hath been given for running out Land, have made their own Advantage of the ſame, running it out for other Perſons; it is alſo hereby enacted, That every Surveyor ſhall, at any Time when an Order for the Survey of Land is offered him, immediately take a Memorandum thereof, with the Place where the Party bringing it deſires it ſhould be run out, mentioning alſo the Time of the Receipt thereof, and ſhall alſo write the ſame on the Back of the ſaid Order, and ſhall alſo ſurvey the ſaid Land accordingly for the ſaid Perſon, if he be ready in reaſonable Time, after due Notice by the ſaid Surveyor given to ſhew the ſaid Land; and if it ſhall ſo happen, that the ſaid Surveyor ſhall have received an Order already, which he believes is for the ſaid Parcel of Land, he ſhall then declare the ſame, and alſo ſhew the ſaid Order, if deſired, under the Penalty of Forty Pounds for every ſuch Default; and every Surveyor ſhall, on every Survey, return Two Plats of the ſaid Survey into the Patent-office, the one to be left there, and the other to be affixed to the Grant.

Surveyor to return Two Plats of his Survey into the Patent-office,

VII. And

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VII. AND it is hereby alſo further enacted, That the Clerk of the Patents ſhall affix one of the Two Plats delivered him by the Surveyor (as above provided) unto the Grant, and keep the other Plat in the ſaid Office, without any Embezilment of the ſame; and that the Secretary of this Iſland ſhall record a true Copy of the Plat ſo affixed to the Grant or Patent, next unto the Record of each reſpective Grant or Patent; and that the Clerk of the Patents ſhall receive for writing an original Patent, Ten Shillings, and no more; and if the Clerk of the Patents, or Secretary of this Iſland, ſhall offend againſt any of the Clauſes of this Act, he or they, who ſhall ſo offend, ſhall forfeit the Sum of Twenty Pounds for each Offence by him or them committed.

one of which ſhall be affixed to the Grant, and the other kept in the Office.

VIII. AND it is alſo hereby enacted, That every Surveyor, or Clerk of the Patents, or any other Perſon, in whoſe Hands ſoever any original Plat is lawfully lodged, ſhall, on Requeſt by any one made, give a true Copy of any Plat in their Poſſeſſion, and receive Two Shillings and Six-Pence for the ſame, and no more; and whoſoever aforeſaid ſhall refuſe or deny the ſame, ſhall forfeit Forty Shillings for every ſuch Offence, to be recovered by Warrant from any Juſtice of the Peace; one Half of which Forfeiture to be received by the ſaid Juſtice, and paid by him to the Church-wardens, for the Uſe of the Poor of the Pariſh, and the other Half to the Party complaining.

Surveyor's and Clerk's Fees for the Copy of an original Plat.

IX. AND whereas in an Act, intituled, *An Act for regulating Fees*, it is made lawful for every Surveyor to receive Two Pence *per* Acre for all Lands by him ſurveyed, *viz.* for the Survey of the ſame, and no more; it is hereby enacted by the Authority aforeſaid, That it ſhall and may be lawful for every Surveyor to receive one Penny *per* Acre more than the ſaid Act allows; that is, Three Pence *per* Acre for ſurveying any Quantity of Land, and no more.

Clauſe for adding one Penny to the Surveyor's Fees.

X. AND it is hereby enacted, That every Perſon who ſhall receive a Commiſſion from the Governor to be a Surveyor in this Iſland, ſhall give Bond, with ſufficient Surety, in the Sum of Three hundred Pounds, for the true and juſt Performance of his Office, before he act in the ſame, under the Penalty of Fifty Pounds for every ſuch Offence; the ſaid Bond to be careſully kept and recorded in the Secretary's Office, that upon any Negligence or corrupt Performance of their Office, it may be put in Suit, in the ſame Manner as is declared and provided for the Recovery of the Bond for Security given by all Maſters of Ships and Veſſels, and appointed in the Act, entituled, *An Act requiring all Maſters of Ships and Veſſels to give Security in the Secretary's Office*.

Surveyor to give 300 *l.* Security for the juſt Performance of his Office.

XI. BUT it is hereby provided nevertheleſs, That if the Surveyor-general ſhall keep his Office, and perform the Duties herein required, both in his own Perſon and his Deputies, and as is provided in an Act, entituled, *An Act for regulating Surveyors*; that then it ſhall and may be lawful for the ſaid Surveyor-general to employ Deputies, as formerly hath been done; but that his Bond of Four thouſand Pounds, mentioned in the aforeſaid Act, ſhall remain cautionary for Security, that himſelf, and alſo his Deputies, do well obſerve and perform all the Directions and Clauſes of this Act for future Surveys, under the ſeveral Penalties therein expreſſed.

Proviſo.

XII. BE it further enacted by the Authority aforeſaid, That if *Robert Felgate*, or any Perſon whatſoever, who have any original Plat in their Cuſtody, do not return the ſame into the Patent-office at or before the Five and twentieth Day of *March* next enſuing, ſhall, upon due Conviction thereof, for every Plat ſo kept back, forfeit the Sum of One hundred Pounds.

Original Plats to be returned into the Patent-office.

XIII. AND it is alſo hereby enacted and ordained by the Authority aforeſaid, That all Penalties mentioned in this Act, and no Proviſion made where they ſhall be recovered, or how diſpoſed of, ſhall be recovered by Bill, Plaint, or Information, in any Court of Record within this Iſland, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed; one Half of which Forfeitures ſhall be unto our Sovereign Lord the King, towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Half to him or them that ſhall ſue for the ſame; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Penalties, &c. how to be recovered and diſpoſed of.

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A ſupplemental and explanatory Act.

Act 26.

Miniſter of the Pariſh to be one of the Veſtry.

BE it enacted and ordained by the Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That the Miniſter of each Pariſh be conſtantly one of the Veſtry; and that no Veſtry preſume to make any Order, without having firſt given timely Notice to the ſaid Miniſter to be there.

To whom the Inhabitants of the Pariſhes of St. *Dorothy*, &c. ſhall pay Pariſh Dues.

II. And be it further enacted by the Authority aforeſaid, That the Inhabitants of the Pariſh of St. *Dorothy* and St. *Thomas in the Vale*, pay all Pariſh Dues and Duties, as formerly, to the Pariſh of St. *Catharine*, till each be provided of a Church and Miniſter of their own; and that the Precincts of the *Magotty* pay all Parochial Duties to the Pariſh of St. *John* (Reparation of the Highways only excepted) until there be a Church built and a Miniſter ſettled in the Pariſh of St. *Thomas in the Vale*; and when the Pariſh of St. *Dorothy* ſhall be provided of a Church and Miniſter, that then the Bridge lying over *Black River* ſhall be built and repaired, whenſoever there ſhall be Occaſion for the ſame, at the common and equal Charge of the Pariſhes of St. *Catharine* and St. *Dorothy*; and the Highways from the Ford of *Rio Cobre* at the *Creſcent* unto Major *George Needham*'s Walk, to be kept and maintained at the Charge of the Inhabitants of St. *Thomas in the Vale*.

The Eaſt and Weſt Bounds of the Pariſhes of St. *Elizabeth* and *Clarendon*.

III. Be it enacted by the Authority aforeſaid, That a North-north-weſt Line, from the Head of *Swift River* to the South Bounds of St. *Anne*'s, ſhall be the Eaſterly and Weſterly Bounds of the Pariſhes of St. *Elizabeth* and *Clarendon*.

No common Horſe-catcher to ride in any *Savanna* to take up Horſes, till he has given 100 *l.* Bond to the Juſtices, &c.

IV. And be it further enacted by the Authority aforeſaid, That from and after the Twentieth Day of *December*, in the Year of our Lord One thouſand ſix hundred eighty and three, no common Horſe-catcher preſume to ride or drive in any *Savanna*, to take up any Horſes, Mares, or Colts, without having firſt given Bond, with ſufficient Security, in the Sum of One hundred Pounds, to the Juſtices ſitting in open Seſſions of the Peace for that Precinct where the ſaid Horſe-catcher ſhall ride or drive, as formerly, under the Penalty of Ten Pounds for each Offence; which Bond is to be taken in the King's Name, and due Recovery thereon to be had, as is appointed in an Act requiring all Maſters of Ships and Veſſels to give Security in the Secretary's Office; and the ſaid Horſe-catcher having given ſuch Bond, with Security aforeſaid, ſhall obtain an Order from the Juſtices then ſitting in Seſſions, to ride and drive, as aforeſaid; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

nor mark any Cattle without giving Notice in the Church.

V. And be it further enacted by the Authority aforeſaid, That from and after the firſt Day of *December*, in the Year of our Lord One thouſand ſix hundred eighty three, no common Horſe-catcher whatſoever ſhall mark Horſe, Mare, or Colt, or any Sort of Neat Cattle, without having firſt given Notice in the Pariſh Church the Sabbath-day before they intend to mark, under the Penalty of Twenty Pounds for every ſuch Default.

Clauſe directing ſome additional Words to be inſerted in the Bond given by Maſters of Veſſels, &c.

VI. And it is further enacted by the Authority aforeſaid, That from and after the firſt Day of *December*, in the Year of our Lord One thouſand ſix hundred eighty three, it ſhall be inſerted in the Bond of Maſters of Ships or Veſſels, giving Security in the Secretary's Office, That no Maſter of any Ship or Veſſel preſume to carry off this Iſland any Slave or Slaves without a Ticket under the Hand of the Governor or Commander in Chief; wherein ſhall be inſerted the Owner's Name, who ſhall alſo make Oath before ſome one Juſtice of the Peace, that the ſaid Slave or Slaves is his or hers, or that they have ſufficient Power from the Owner of ſuch Slave or Slaves to tranſport the ſame, upon Forfeiture of double the Value of ſuch Slave or Slaves ſo carried off without ſuch Ticket; one Half of which Forfeiture to be to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof, the other Moiety to him or them that ſhall ſue for the ſame; and that the Secretary take Two Shillings and Sixpence, as his Fee, for each ſuch Ticket, provided he inſert as many in each Ticket as the Owner of the Slave or Slaves ſhall require.

VII. And

1683.

VII. And whereas it is thought fit and neceſſary, that Night-guards be duly and conſtantly kept in the Town of St. *Jago de la Vega*, be it therefore enacted and ordained by the Authority aforeſaid, That from and after the Twentieth Day of *October*, in the Year of our Lord One thouſand ſix hundred eighty three, at the Town of St. *Jago de la Vega* there be conſtantly and duly kept, each Night in the Year, a Guard, conſiſting of Eleven Perſons (that is to ſay) Three Troopers, with a Corporal or other Officer, and Six Foot-ſoldiers, with a Corporal or other Officer, ſuch as the Captains of Troops and Companies, or their ſuperior Officers, ſhall appoint; and whatſoever Offi er or Soldier ſhall neglect his or their Duty herein, ſhall be fined in Manner as is appointed for Non-appearance in Arms in the Act for ſettling the Militia; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

A Guard to be nightly kept at St. *Jago de la Vega*.

VIII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Captain of a Troop or Company within this Iſland, or other Officer, impowered by the Act for ſettling the Militia, to iſſue out Warrants for the levying of ſuch Fines and Forfeitures relating to any Perſon under the Degree of a Captain, and to direct the ſame as well unto the Marſhal of each Regiment, as the Serjeant or Corporal of the reſpective Troop or Company; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

By whom Warrants for levying Forfeitures may be iſſued.

IX. And be it further enacted by the Authority aforeſaid, That the Surveyors of the Highways for the ſeveral Pariſhes and Precincts of this Iſland for the Time being, upon any ſudden or extraordinary Occaſions for the Repairing the Highways, ſhall repreſent the ſame to the Juſtices of the reſpective Precincts where the Ways are broken; upon which the major Part of the ſaid Juſtices, together with the Surveyors, are hereby impowered at any ſuch Time or Times to lay a Tax upon the Inhabitants of the ſaid Precincts, of ſuch Money, Labour, or other Things, as to them ſhall ſeem neceſſary and convenient for he immediate Repair of the ſame; any former Law to the contrary notwithſtanding.

Surveyors and Juſtices may lay a Tax for Repair of Highways.

X. Be it alſo enacted by the Authority aforeſaid, That when any Sugar, Ginger, Anotto, Indico, Cacao, Cotton, or Piemento (being the Production of this Iſland) ſhall be taken upon Writ of *Venditioni exponas*, the ſame ſhall be carried to *Port Royal*, at the Charge and Riſque of the Defendant, and there be appraiſed by the Church-wardens for the Time being, in Abſence of one of the ſaid Church-wardens, then by the Church-wardens preſent, and either of the Church-wardens of the foregoing Year; and in Abſence of both the Church-wardens for the Time being, then by both the Church-wardens that were for the preceding Year, the ſaid Church-wardens being firſt ſworn to appraiſe the ſaid Goods according to their juſt Value, without Favour or Affection to either Party, which Oath any one Juſtice of the Peace is hereby impowered to adminiſter; and the ſaid Goods ſo taken and appraiſed, ſhall by the Provoſt-marſhal be forthwith delivered to the Plaintiff for ſo much Money as the ſame ſhall be appraiſed at, which ſhall be taken and accepted by the Plaintiff as ſo much Money effectually paid him; any former Law to the contrary notwithſtanding.

Ginger, *&c.* taken by Writ of *Venditioni exponas*, to be carried to *Port Royal*, and ſold there.

XI. And it is further enacted by the Authority aforeſaid, That the ſaid Church-wardens ſhall receive from the Defendant Four Pence out of every Twenty Shillings Value of what they ſhall ſo appraiſe; and if they, or any of them, ſhall refuſe to appraiſe upon Oath the Goods ſo taken as aforeſaid, he or they ſo refuſing, ſhall forfeit for every ſuch Refuſal the Sum of Ten Pounds, to be recovered by Bill, Plaint, or Information, in any Court of Record within this Iſland; the ſame to be one Half to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Half to the Informer, or he that ſhall ſue for the ſame.

Church-wardens Fees for appraiſing Goods.

[*Repealed*, Act 184, Clauſe 17.]

XII. Be it alſo enacted by the Authority aforeſaid, That none ſhall be deemed or adjudged to be Freeholders of known Reſidence, unleſs he poſſeſs Five Acres planted, or a Houſe of the Value of Ten Pounds *per Annum* on his Freehold, and all others ſhall be liable to an Arreſt; any former Law or Cuſtom to the contrary notwithſtanding.

Freeholder's Qualification.

XIII. And

1683. XIII. And whereas it is provided by an Act, entituled, *An Act for eſtabliſhing of Courts, and directing the Marſhal's Proceedings*, That poor Priſoners, that have not wherewith to maintain themſelves, may, under certain Terms and Conditions therein expreſſed, be publickly let to hire, towards Satisfaction of their Creditors, by which divers Frauds have been committed; be it therefore enacted by the Authority aforeſaid, That no Priſoner hereafter ſhall have the Benefit of that Act, until he or ſhe ſhall have firſt delivered into the Court a true and perfect Liſt of all the Debts, Goods, and Monies that he or ſhe hath or can claim in this Iſland, and there made a full Aſſignment and Delivery thereof unto the Provoſt-marſhal, for the Uſe of the Creditors, and have further taken in open Court this following Oath:

Priſoner not to have the Benefit of the Act, until he has given in a Liſt of all Debts, &c. due to him, and taken this Oath.

I A. B. *do ſwear, That I have now delivered into the Court a true and perfect Liſt of all the Debts, Goods, and Monies which I have, or can any way lay Claim unto in this Iſland; and that there hath not been, either by myſelf, or any other by my Direction, made over, concealed, or any ways ſecured for me, any other Goods, Debts, or Monies, more than is there expreſſed, excepting only Five Pounds reſerved for my neceſſary Subſiſtence:*

So help me God.

Provoſt-marſhal to account with Creditors for ſuch Goods, &c.

XIV. And the Goods, Debts, and Money ſo aſſigned and delivered unto the Provoſt-marſhal, ſhall be by him accounted for, and paid unto the ſaid Creditors in ſuch Proportions as by the ſaid Act is directed for the Hire or Wages of the ſaid Servant; any Law or Cuſtom heretofore to the contrary notwithſtanding.

Diſpoſition of Forfeitures.

XV. Provided alſo, That the ſeveral Fines, Forfeitures, and Penalties aforementioned in this Act, and not declared where they ſhall be recovered, and how diſpoſed of, be one Moiety to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and contingent Charges thereof; the other Moiety to the Informer, or him that ſhall ſue for the ſame in any Court of Record within this Iſland, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

An Act for keeping open old Paths to publick Watering-Places.

Act 27. Forasmuch as it hath not been hitherto provided by any of the Acts of this Country to give full and ſufficient Power to the Juſtices of the Peace to grant Warrants to lay out, upon Occaſion, broad Paths to common and known Watering-places, whereby the Inhabitants of this Iſland may in Time be much prejudiced; be it therefore enacted and ordained by the Governor, Council, and Aſſembly, and it is hereby enacted by the Authority of the ſame, That upon Notice given to any Juſtice of the Peace, he ſhall, on Requeſt, iſſue his Warrant to the next Conſtable in the ſaid Pariſh, to ſummon a Jury to meet at ſome convenient Place and Day therein to be mentioned, to view and lay out ſuch Path or Roads as have been uſed to any publick, common, or known Spring, River, or Watering-place for Seven Years laſt paſt; which ſaid Juſtice is hereby impowered to adminiſter an Oath to the ſaid Jury, that, according to the beſt of their Skills and Judgments, they will lay out ſuch Way, as aforeſaid; which having done, the Surveyor of the Highways is to make Return thereof to the Juſtices of the next Quarter Seſſions of the Precincts, and if approved by the ſaid Juſtices, ſhall be there filed or recorded, and after known for a publick Highway; and where new Fences on both Sides of the Path ſhall be needful, the ſame to be made and maintained at the Charge of the Precincts.

Juſtice to iſſue his Warrant to the Conſtable to ſummon a Jury to lay out a Path or Road, &c.

An Act appropriating certain Lands upon Port Royal *to the publick Uſe.* 1683.

Act 28.

WHEREAS ſome private Perſons have patented Parcels of Land upon *Port Royal*, and built Houſes very near unto the Walls of *Chriſt Church* and *Fort Rupert*, which not only incumber both, but may happen to endanger their Loſs or Ruin; be it enacted and ordained by the Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That no Perſon whatſoever, having Land on the South Side *Port Royal*, between *Chriſt Church* and the Sea, or at the Eaſtermoſt End of *Port Royal*, within Two hundred Foot of the Wall that runs near North and South croſs *Port Royal*, commonly known by the Name of *The Breaſt Work*, ſhall ever hereafter preſume to build any Houſe, or other Fabrick thereon; and if any Houſes are already erected within the Limits aforeſaid, they ſhall be pulled down; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Houſes built, or to be built, within 200 Foot of the *Breaſt Work* at *Port Royal*, ſhall be pulled down.

II. And that all Perſons, having Land or Houſes within the Limits aforeſaid, may receive juſt and due Satisfaction for the ſame, it is enacted and ordained by the Authority aforeſaid, That Capt. *Peter Beckford*, Capt. *Reginold Wilſon*, Capt. *Thomas Clerk*, and any other Perſon choſe by the Proprietor, are hereby appointed and impowered to view the ſaid Lands and Houſes, as aforeſaid, and to appraiſe them according to their juſt and true Value; and whatſoever the ſaid Appraiſers, or any Two of them, being firſt ſworn by any One of his Majeſty's Juſtices of the Peace, who is hereby impowered to adminiſter the ſame, to appraiſe the ſaid Lands or Houſes according to the beſt of their Judgments, ſhall judge to be the Value of the ſaid Lands and Houſes, ſhall be deemed and taken for the full Worth of the ſaid Lands and Houſes, and paid to the Proprietors out of his Majeſty's Treaſury of this Iſland; which Payment, or (in caſe of the Refuſal of the Proprietors) Tender of Payment, ſhall for ever be a good Bar againſt any Title to any Land or Houſes within the Limits aforeſaid; any Patent, Deed, Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Perſonshaving Lands or Houſes there, to receive ſuch a Conſideration for them as they ſhall be appraiſed at.

An Act for puniſhing of idle Perſons and Vagabonds, and for Relief of the Poor.

Act 29.

WHEREAS divers idle Perſons and Vagabonds, though of able Bodies, uſe Loitering, and refuſe to work for reaſonable Wages in the ſeveral Parts where ſuch Perſons happen to dwell and abide, not having Living otherwiſe to maintain themſelves, whereby the Charge of ſeveral Pariſhes may be much encreaſed; for Prevention whereof, be it therefore enacted by the Governor, Council, and Aſſembly, and be it hereby enacted by the Authority of the ſame, That from and after the firſt Day of *January*, in the Year of our Lord God One Thouſand ſix Hundred Eighty-three, the Juſtices and Veſtry of each Pariſh within this Iſland, or the major Part of them, (if to them it ſhall ſeem convenient and neceſſary) are hereby fully impowered to lay a reaſonable Tax for the building One or more Houſes of Correction within their ſeveral Pariſhes, and for the providing Stocks of Money, and all other Things neceſſary for the ſame, and for governing the ſame, and for Correction and Puniſhment of Offenders thither committed; ſuch Orders as the ſaid Juſtices and Veſtry, or the major Part of them, ſhall from Time to Time make, reform, or ſet down in that Behalf, ſhall be of Force, and be duly performed and put in Execution; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

The Juſtices and Veſtry of every Pariſh impowered to build Houſes of Correction for puniſhing Offenders there, &c.

II. And be it further enacted by the Authority aforeſaid, That all Rogues, Vagabonds, and other idle Perſons that ſhall be found wandering from Place to Place, or otherwiſe miſordering themſelves, ſhall be apprehended by the Conſtables or Tythingmen of each reſpective Pariſh within this Iſland, and to carry him or her ſo apprehended before ſome one Juſtice of the Peace of that Precinct;

Perſons found wandering or miſordering themſelves, how to be puniſhed.

1683. and if upon Examination it appear, that the Apprehended be Perſons fit and able to work, and do refuſe ſo to do, but wander about, as aforeſaid; that then the ſaid Juſtices ſhall order him or her to be whipped on the naked Back, not exceeding Thirty-nine Laſhes in the whole, by the ſaid Conſtable or Tythingman, and ſhall be forthwith ſent from Pariſh to Pariſh by the Conſtables or Tythingmen of the ſame, the next ſtraight Way to the Pariſh where he or ſhe dwelt for one whole Year then laſt paſt. And for ſuch other poor impotent Perſons wandering from Place to Place, as aforeſaid, they ſhall be ſent from Pariſh to Pariſh by the Conſtables or Tythingmen of the ſame, to the Place of their laſt Abode.

Proviſo. III. Provided always, and it is hereby further enacted, That no ſuch Perſon or Perſons as above mentioned, ſhall be returned as aforeſaid, if he, ſhe, or they have continued to dwell in the ſaid Pariſh above the Space of Three Months; and whatſoever Conſtable or Tythingmen that ſhall neglect his or their Duty herein, ſhall forfeit the Sum of Forty Shillings for every Default; one Half of which Forfeiture to be to the Church-wardens, for the Poor of the ſaid Pariſh, and the other Half to the Informer; to be recovered before any Juſtice of the Peace; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Church-wardens impowered to bind poor Children Apprentices.

IV. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Church-wardens of each Pariſh within this Iſland, with the Aſſent of any Two Juſtices of the Peace in that Precinct, to bind any poor Children belonging to the ſaid Pariſh to be Apprentices where they ſhall ſee convenient, until ſuch a Man-child ſhall come to the Age of One and Twenty Years, and ſuch a Woman-child to the Age of Eighteen Years, or the Time of her Marriage; to be as effectual, to all Intents and Purpoſes, as if ſuch Child was of full Age, and by Indenture of Covenant bound him or herſelf; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

An Act for vacating ſeveral irregular Grants, ſurreptitiouſly obtained, for Royal Mines, Shoal-water, Anchorage, and Fiſhery.

Act 30. WHEREAS there have been ſeveral irregular Patents and Grants ſurreptitiouſly obtained, contrary to former Uſage, Law, and publick Good of his Majeſty's Iſland, for Fiſhery and Shoal-water, in and about the Harbour of *Port Royal*, and other Harbours, and the Water before ſeveral Perſons Land, and alſo Royal Mines, and alſo the Parade in the Town of St. *Jago de la Vega*, and the Fiſhery in and between *Rio Cobre*, and the Salt River in St. *Andrew*'s Pariſh; it is therefore enacted and ordained by the Governor, Council, and Aſſembly, and be it enacted by the Authority of the ſame, That all and every ſuch Grants and Patents are and be hereby declared null and void, to all Intents and Purpoſes whatſoever; the ſaid Letters-patents, or any thing in them, or any of them, contained, or other Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding.

Grants of Royal Mines &c. ſurreptitiouſly obtained, declared void.

Patents prejudicial to Anchorage, &c. declared void.

II. And that no ſuch Grants or Patents as are now, or ſhall be hereafter granted, that ſhall be prejudicial to Anchorage, Navigation, or common Fiſhery, ſhall be good.

Proviſo. III. Provided always nevertheleſs, That all Owners of any Land adjoining upon any Harbour, Bay, or Creek, ſhall have Liberty to take up the Shoal-water to make Wharfs, or Bridges convenient, before their own Land, and none elſe; and that all Patents already granted for Shoal-water, or building of Wharfs, or Bridges before any Man's own Land, ſhall be deemed good.

IV. And whereas there have been ſeveral Patents for the Parade-place upon *Port Royal*, and for Eleven Hundred Acres of Land without the *Breaſt Work*, or of Part thereof, granted to ſeveral Perſons ſince Grant thereof was made to ſeveral Perſons, and their Heirs or Succeſſors, to the Uſe of the Pariſh of *Port Royal*, under Pretence that the ſaid Grants to them to the ſaid Uſes are void in Law;

Law; be it enacted and ordained by the Authority aforeſaid, and it is hereby enacted and ordained by the Authority of the ſame, That the ſaid ſeveral Grants, or any other Grants or Patents, firſt made to the Uſe of the Pariſh, ſhall be deemed good and valid to the paſſing of the Premiſſes therein contained; and that all other Patents granted to any Perſon or Perſons whatſoever, of any Part of the ſaid Parade-place, or of the ſaid Eleven Hundred Acres of Land, or any thing elſe, ſince the Dates of the ſaid Grants, or any of them, to the Uſe aforeſaid, be and are hereby adjudged null and void, to all Intents and Purpoſes whatſoever; any thing in the ſaid Letters-patents, or any of them, or any other Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding. 1683.

Patents granted to the Pariſh of *Port Royal* declared valid, &c.

An Act for eſtabliſhing a perpetual Anniverſary Faſt on the Seventh of June. 1693.

FORASMUCH as it hath pleaſed Almighty God, the great Creator and Judge of Heaven and Earth, on the Seventh Day of *June*, One Thouſand Six Hundred Ninety-two, juſtly to puniſh the Inhabitants of this Iſland for their manifold Sins and Wickedneſſes committed againſt his Divine Majeſty, by a moſt terrible and dreadful Earthquake, which not only laid waſte our Eſtates and Places of Habitation in general, but alſo deſtroyed many Hundreds of People; which tremendous Judgment was ſucceeded by a raging Sickneſs and Mortality, that few or no Families eſcaped: Now, that ſo ſignal a Viſitation may be had in perpetual Remembrance, and we and our Poſterity may, by humbling ourſelves, endeavour to appeaſe God's imminent Wrath, and prevent heavier Judgments, we, your Majeſties moſt dutiful and loyal Subjects, your Majeſties Lieutenant-Governor, Council, and Aſſembly of this your Iſland of *Jamaica*, do moſt humbly beſeech your moſt Sacred Majeſties, that it may be enacted by their Majeſties Lieutenant-Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That every Seventh Day of *June* (unleſs it falls out to be on the Lord's Day, and then the Day following) ſhall be for ever hereafter ſet apart, to be kept and obſerved by all the Inhabitants of this Iſland as an Anniverſary Day of Faſting and Humiliation; and that all and every the Inhabitants aforeſaid, ſhall, upon the ſaid Day, annually reſort to ſome uſual Place where Prayers and Preaching are uſed to be miniſtred, and there orderly and devoutly abide during the Celebration of Divine Service, by Prayers, Preaching, Singing of Pſalms, &c. ACT 31.

The 7th of *June* to be annually kept as a Day of Faſting and Humiliation.

II. AND to the End that all Perſons may be put in Mind of their Duty therein, and be the better prepared to diſcharge the ſame with that Piety and Devotion as becomes them; be it further enacted, That every Miniſter ſhall give Notice to his Pariſhioners in the Church, or other publick Place of Divine Worſhip, at Morning Prayer, the *Sunday* next before every ſuch Seventh Day of *June*, for the Obſervation of the ſaid Day; and that he provide a Sermon ſuitable to that Occaſion; and that in ſuch Pariſhes where there is no Miniſter, this Act ſhall be publiſhed annually in the Seſſions next before the Seventh of *June*, as aforeſaid.

Miniſter to give Notice of the ſaid Day the *Sunday* before, and preach a Sermon ſuitable to the Occaſion, &c.

III. AND be it further enacted and ordained by the Authority aforeſaid, That no Perſon or Perſons whatſoever, neither by themſelves, Servants, or Slaves, ſhall do, or cauſe to be done any Manner of Work in his or their Trade, Calling, or Plantation; and that no Shop, Tavern, Coffee or Punch-houſe be kept open on the ſaid Day, on Penalty of forfeiting Forty Shillings for every Perſon, by himſelf, Servant, or Slave ſo offending, as aforeſaid; to be recovered before any of their Majeſties Juſtices of the Peace, who are hereby required and impowered to award the ſame; one Half of which Forfeiture ſhall be to the Church-wardens, for the Uſe of the Pariſh; and the other Half to the Informer, or him that ſhall ſue for the ſame.

No Work to be done on the ſaid Day, nor Shops, &c. kept open.

An

1693.

An Act for making Kingſton *a Pariſh.*

Act 32.

WHEREAS it hath pleaſed Almighty God, by his late dreadful Judgment, to lay waſte and deſtroy the Habitations and Dwelling-places of many of the People late of *Port Royal*, whereby they were neceſſitated to reſort to ſome more convenient Place, wherein to unite and ſettle for the Advantage of Trade, and better Conveniency of Living; and did, by the Encouragement of the then Government, repair to and ſettle upon a certain Place now called and known by the Name of *Kingſton*, in the Pariſh of St. *Andrew*, on the Harbour of *Port Royal* aforeſaid, and have, with great Trouble and Charge, made a conſiderable Progreſs in building and ſettling there; and being willing and deſirous there to continue, by reaſon of the convenient Situation of the Place, and Commodiouſneſs of the Channel and Harbour; be it therefore enacted and ordained by their Majeſties Lieutenant-Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That the aforeſaid Place, commonly called and known by the Name of *Kingſton*, lying in the Pariſh of St. *Andrew*, on the Harbour of *Port Royal*, bounded Southerly by the Harbour, Weſterly and Northerly by the Line of the Land of Sir *William Beeſton* Knight, and to continue from a *Calabaſh*, his North-eaſterly Corner-tree, by a ſtraight Line, to the Foot of the long Mountain, Eighty Chain Diſtance from the Sea, and from thence towards three Rivers of the ſame Diſtance from the Sea, until it meets with the Bounds of the Pariſh of *Port Royal*; and alſo all that Part of the Harbour which lies to the North-eaſterly and Eaſterly Part of the middle Ground, ſhall be, and for ever hereafter be taken and eſteemed, to all Intents and Purpoſes, an entire and diſtinct Pariſh, ſeparate from the ſaid Pariſh of St. *Andrew*, and be called and known by the Name of the Town and Pariſh of *Kingſton*; and have, uſe, exerciſe, and enjoy all and every the Powers, Authorities, Benefits, Privileges, Rights, Immunities, and Cuſtoms, that all or any of the Pariſhes or Precincts within this Iſland have, or ought to have, uſe, exerciſe or enjoy of common Right, or by virtue of any general Act or Acts of this Country, as fully, amply, and effectually, as if the ſame had then been a diſtinct and ſeparate Pariſh or Precinct, and therein by Name expreſly mentioned and ſpecified; and particularly, that there ſhall be choſen Three Repreſentatives to ſerve in every Aſſembly hereafter, or after the firſt Prorogation of this preſent Aſſembly, for the ſaid Town and Pariſh of *Kingſton*; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

How the Pariſh of *Kingſton* ſhall be bounded.

Three Repreſentatives to be choſen out of it to ſerve in Aſſembly.

II. And be it further enacted and ordained by the Authority aforeſaid, That for the Eaſe of the Merchants and trading People of the ſaid Town of *Kingston*, there be erected, eſtabliſhed, and held in the ſaid Town, a Quarter Seſſions for the Conſervation of the Peace, and a Court of Common Pleas, with the ſame Power and Authority that is or hath been lately held or exerciſed at *Port Royal*; which ſaid Court ſhall be held the firſt Time on the ſecond *Thurſday* in *October*, in this preſent Year One Thouſand ſix Hundred Ninety-three, and afterwards once every Two Months, and the Seſſions every Three Months; any thing in this Act to the contrary notwithſtanding.

A Court of Common Pleas, &c. to be held in the ſaid Town.

III. And be it further enacted and ordained by the Authority aforeſaid, That the Receiver-general, Secretary of this Iſland, and Naval-Officer for the Time being, do, by themſelves or Deputies, within One Month after the paſſing this Act, keep, or cauſe to be kept in the Town of *Kingston* aforeſaid, their ſeveral and reſpective Offices, as they now do, or heretofore have or ought to have done on *Port Royal*, on Penalty of Fifty Pounds each, for every Month they, or any of them, ſhall neglect or refuſe to do the ſame; to be recovered againſt them, or any of them, by Bill, Plaint, Information, or otherwiſe, in the Supreme Court of this Iſland; the one Half to their Majeſties, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Half to the Informer, or him that ſhall ſue for the ſame; wherein no Eſſoin, Injunction, Protection, Wager of Law, or *Non vult ulterius proſequi* ſhall be allowed.

Officers to keep their Offices in the Town of *Kingſton*, as in *Port Royal*, &c.

An

1693.

An Act for the better ſecuring of Port-Royal.

Act 33.

WHEREAS the Town of *Port Royal* is a Town of a very conſiderable Trade, and of great Strength to reſiſt the Enemy in Time of War, by reaſon of their Majeſties Fortifications, and a great Number of Houſes, through the Mercy of God, left ſtanding thereon: And whereas by the late dreadful Earthquake, the Land on the Back Sea Side is ſettled lower than it was; by reaſon whereof the Sea hath more Power to gain upon it, and if not timely prevented by wharfing, to reſiſt the Violence thereof, may endanger the Houſes that are ſtanding on that Sea Side; for Prevention whereof, be it enacted and ordained by their Majeſties Lieutenant-Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That it ſhall and may be lawful from and after the Twenty fifth Day of *July*, in the Year of our Lord One thouſand ſix hundred ninety three, for the Juſtices and Veſtry of the Pariſh of *Port Royal*, or the major Part of them, to aſſeſs, tax, and levy ſuch Sum or Sums of Money upon all and every the Freeholders of the ſaid Pariſh of *Port Royal*, as to them ſhall ſeem meet and convenient, for and towards the wharfing, or otherwiſe ſecuring the Town of *Port Royal* towards the great Sea Side above mentioned.

Juſtices impowered to levy a Tax on the Freeholders in the Pariſh of *Port Royal*, for preſerving it.

II. And whereas after the Wharfs are made, they may from time to time want repairing; be it therefore further enacted by the Authority aforeſaid, and it is hereby enacted and ordained by the Authority of the ſame, That it ſhall and may be lawful for the Juſtices and Veſtry of *Port Royal* aforeſaid, or the major Part of them, to aſſeſs, tax, and levy yearly and every Year, ſuch Sum or Sums of Money upon the Freeholders of the ſaid Pariſh of *Port Royal*, at ſuch Times as to them ſhall ſeem requiſite or neceſſary for repairing and maintaining the ſaid Wharfs; and that the Conſtable or Conſtables of the ſaid Pariſh of *Port Royal* ſhall gather in the aboveſaid Monies ſo to be levied, aſſeſſed, and taxed, as before mentioned and appointed by this preſent Act, and pay the ſame into the Hands of the Church-wardens of the ſaid Pariſh of *Port Royal* for the Time being, deducting to him or themſelves Four-Pence in the Pound for collecting the ſame. And in caſe any Conſtable or Conſtables ſhall neglect his or their Duty in collecting, gathering, or paying in the Money ſo collected by virtue of this Act; he or they ſo neglecting his or their Duty therein, ſhall forfeit for every ſuch Offence the Sum of Twenty Pounds.

Conſtable's Fees for collecting ſuch Tax.

III. And in caſe any Perſon or Perſons ſhall refuſe or delay to pay his or their Tax ſo to be aſſeſſed, taxed, and levied, as in this preſent Act is preſcribed; be it further enacted and ordained by the Authority aforeſaid, That it ſhall and may be lawful to and for any Two of their Majeſties Juſtices of the Peace of the Pariſh of *Port Royal* aforeſaid, to iſſue out their Warrant of Diſtreſs, directed to any Conſtable of the ſaid Pariſh, to levy the ſame upon the Goods or Chattels of him, her, or them, ſo refuſing or delaying to pay the ſame, and ſell the ſame at publick Outcry, returning the Overplus (if any be) to the Owner.

The Tax on Non-payment to be levied by Diſtreſs.

IV. And to the Intent that the Money which ſhall be collected and raiſed by virtue of this Act, may be applied to the Uſe and Purpoſe by this Act mentioned and directed, be it further enacted and ordained by the Authority aforeſaid, That the Church-warden or Church-wardens of the ſaid Pariſh of *Port Royal* for the Time being, ſhall and are hereby required, from time to time, to pay the Money ariſing by virtue of this Act to ſuch Perſon or Perſons, and to ſuch Uſes, as the Juſtices and Veſtry, or the major Part of them ſhall direct and appoint; and the Church-wardens of the ſaid Pariſh for the Time being ſhall keep a diſtinct Account of the Money by them and each of them received by virtue of this Act, and likewiſe render a true and juſt Account thereof to the Juſtices and Veſtry of the ſaid Pariſh of *Port Royal*, when thereunto required, and alſo pay the full Ballance of the ſame unto the ſucceeding Church-wardens, or to whomſoever the ſaid Juſtices and Veſtry, or the major Part of them, ſhall direct and appoint, under the Penalty of Fifty Pounds for every Offence committed contrary to their Duty in this Act enjoined.

To be paid by the Church-wardens to Perſons appointed by the Juſtices, &c.

1693. V. And whereas ſeveral of the Freeholders of *Port Royal* may be, or are not reſident or Inhabitants on the ſaid Place; for the better Recovery of the ſaid Tax to be aſſeſſed, as aforeſaid, be it further enacted and ordained by the Authority aforeſaid, That in ſuch Caſes, from and after the Twenty-fifth Day of *July*, One thouſand ſix hundred ninety three, an Action of Debt ſhall lie in any Court of Record, or before any Juſtice of the Peace, as in other Debts, for the Church-wardens of the reſpective Pariſh of *Port Royal*, and their Succeſſors, to recover againſt any of the ſaid Perſons rated or aſſeſſed by virtue of this Act, or any of them, or their Heirs, Executors, Adminiſtrators, Aſſigns, Agents, or Attornies here, all ſuch Sum and Sums of Money as are or ſhall be rated and aſſeſſed upon them, as aforeſaid: And that the ſame Rate or Aſſeſſment, produced in ſuch Court of Record, or before ſuch Juſtice of the Peace, as aforeſaid, ſhall be ſufficient Evidence and Proof for the Recovery of all ſuch Sum or Sums of Money ſo rated or aſſeſſed, as aforeſaid.

How to be recovered of Freeholders not reſident.

VI. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons, being ſeiſed, poſſeſſed, or intereſted of or in any Ground which was formerly built upon, and the Houſes thereupon being now deſtroyed or pulled down, at the Times or by the Means of the late dreadful Earthquake, ſhall not within Three Years next enſuing, build the ſame, that then the Judges of the Court of Common-Pleas of the ſaid Pariſh for the Time being, or any one of them, ſhall forthwith cauſe publick Proclamation to be made, as well at or upon the ſaid Ground, as alſo in the Court-houſe of the ſaid Pariſh, thereby to give Notice to all Perſons that ſhall or may be therein concerned, to cauſe the ſame to be rebuilt within the Space of Nine Months then next following; and in caſe the Owners therof, or other Perſon or Perſons having Intereſt therein, ſhall refuſe or neglect to rebuild the ſame within ſuch Time as aforeſaid, that then, and in ſuch Caſe, the ſaid Judges of the ſaid Court, or any one of them, are hereby authoriſed to iſſue out their Warrants to the Provoſt-marſhal for the Time being, requiring him to impannel and return before them, or any one of them, a Jury of good and lawful Men of the ſaid Pariſh, which the ſaid Provoſt-marſhal is hereby authoriſed and required to do accordingly; which Jury ſo returned, ſhall, upon their Oaths (to be adminiſtered to them by the ſaid Judges, or One of them, who are likewiſe hereby authoriſed to adminiſter the ſame) enquire, eſtimate, and aſſeſs the true and juſt Value of ſuch void Ground according to their Judgment; and that from and after ſuch Enquiry and Valuation thereof, made as aforeſaid, by Inqueſt of the ſaid Jury, it ſhall and may be lawful to and for the ſaid Judge or Judges to make Sale of the Fee and Inheritance thereof, by Conveyance under his or their Hands and Seals, to any Perſon or Perſons that will purchaſe the ſame at ſuch Price at which the ſame ſhall have been ſo, as aforeſaid, eſtimated and valued by the ſaid Jury; and the Monies thereupon to be received of the Purchaſers thereof, ſhall forthwith be paid into the Hands of the Church-wardens of the ſaid Pariſh for the Time being, and from thence to be iſſued out and paid by the ſaid Church-wardens for the Time being unto ſuch Perſon or Perſons who ſhall have an Eſtate or Intereſt in, to or out of the ſame, according to his or their reſpective Eſtate or Eſtates, Title, or Intereſt; which Sale, ſo made and inrolled in the Office of Inrolment of this Iſland, ſhall be final and concluſive to all other Perſons whatſoever, and ſhall bar them, their Heirs, and Aſſigns, to claim any Eſtate, Right, Title, or Intereſt of, in, or out of the Grounds ſo ſold, precedent to the ſaid Sale; and the Purchaſer or Purchaſers thereof, his and their Heirs and Aſſigns, ſhall and may, by virtue of this Act, have, hold, and enjoy the ſame againſt all Perſons claiming any Eſtate, Right, Title, or Intereſt in, to, or out of the ſame, his, her, and their Heirs, Executors, Adminiſtrators, and Aſſigns, freed and diſcharged of and from Incumbrances in Eſtate, Title, Charge, or otherwiſe, precedent to the ſaid Sale, their Majeſties Quit-rents only excepted.

Owners of Grounds to rebuild the Houſes ſtanding upon the ſame before the Earthquake, within three Years; or the Fee thereof to be ſold.

VII. And be it further enacted and ordained by the Authority aforeſaid, and it is hereby enacted and ordained by the Authority of the ſame, That the Receiver-general and Naval Officer of this Iſland, ſhall by themſelves or lawful Deputy, keep their Offices on *Port Royal*, as at any Time heretofore they have, or ought

Courts of the Receiver-general, &c. to be kept on *Port Royal*.

ought to have done; and that the Secretary of this Iſland, ſhall, from Time to Time, by his lawful Deputy, keep his Office at *Port Royal*, as at any Time heretofore he has, now doth, or ought to have done, under the Penalty of Fifty Pounds for every Month the Receiver-general, Naval Officer, or Secretary of this Iſland, or any of them, ſhall neglect or refuſe to do the ſame. 1693.

VIII. AND be it further enacted and ordained by the Authority aforeſaid, That all and every the Fines and Forfeitures in this Act mentioned and contained, ſhall be one Half to their Majeſties, their Heirs, and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Half to the Pariſh of *Port Royal*, for and towards the wharfing, repairing, and maintaining the Wharfs ſo to be made, repaired and maintained, as in this Act mentioned, and to and for no other Uſe, Intent, or Purpoſe whatſoever; to be recovered in any Court of Record within this Iſland, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoin, Injunction, Protection, Wager of Law, or *Non vult ulterius proſequi* ſhall be allowed; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding. Forfeitures how to be diſpoſed of and applied.

An Act for making and clearing a public Road from St. Mary's *and St.* George's *into the Pariſh of St.* Andrew.

ACT 34.

WHEREAS by reaſon of the Uncertainty of the Bounds of the Pariſhes of St. *Mary*, St. *George*, and St. *Andrew*, the Paths leading from St. *Mary*'s and St. *George*'s have not yet been laid out and cleared, to the great Hindrance and Damage of the Inhabitants thereof; and it being requiſite, as well for their Majeſties Service in tranſporting ſpeedy Succours to each Place, as for the neceſſary Uſe of their Majeſties liege People, that a publick Road be laid out from the ſaid Pariſhes of St. *Mary* and St. *George*, into the Pariſh of St. *Andrew*; be it therefore enacted and ordained by the Lieutenant-Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That the Path or Road, as it is now uſed, from the Orange-River Plantation, in the Pariſh of St. *Mary*, over *Little Tom's River*, and from thence over *Viney Ridge*, leaving the Plantation belonging to Col. *Thomas Clarke* to the Eaſtward, unto the Plantation late of *Andrew Holloway*, deceaſed, at *Wagwater*, and ſo into the Pariſh of St. *Andrew*, be a public Road or King's Highway, between the ſaid Two Pariſhes of St. *Mary* and St. *Andrew*; and that the Path or Road from *Annotta River Bay*, in the Pariſh of St. *George*, leading towards St. *Andrew*'s aforeſaid, ſhall, by its neareſt and moſt convenient Courſe, fall into the Path coming from the ſaid Orange-River into St. *Mary*'s upon a Ridge or Mountain, commonly called or known by the Name of *Mammee Ridge*, and from thence forward along the ſaid Path to *Little Tom's River*, &c. and that the ſame be a publick Road or King's Highway, between the ſaid Two Pariſhes of St. *George* and St. *Andrew*, as aforeſaid. The Roads between the Pariſhes of St. *Mary* and St. *Andrew*, and St. *George* and St. *Andrew*, to be publick.

II. AND be it further enacted and ordained by the Authority aforeſaid, That the Surveyors of the Highways for the Pariſh of St. *Mary*, do yearly, and as often as Need ſhall require, clear and amend the ſaid Road or Highway, from the Orange-River aforeſaid, over the ſaid *Mammee Ridge*, unto the Ford at the Foot of the ſaid Hill at *Little Tom's River* aforeſaid; and that the Pariſh of St. *George* alſo clear their Road or Highway, from *Annotta Bay*, as aforeſaid, unto the ſaid Place, as it ſhall fall into the Path on *Mammee Ridge*, as aforeſaid, coming from the ſaid Orange-River Plantation; and that the Pariſh of St. *Andrew* clear the ſaid Ford and Road, or King's Highway, leading from thence over *Viney Ridge* aforeſaid, leaving the Plantation of the ſaid Col. *Thomas Clarke*, to the Eaſtward, as aforeſaid, unto the Plantation of the ſaid *Andrew Holloway*, at *Wagwater*, and ſo forward into the Pariſh of St. *Andrew*. The Portion of the ſaid Road to be cleanſed by each Pariſh.

III. AND it is hereby further enacted, That the reſpective Surveyors of the Highways, and Inhabitants of the Pariſhes of St. *Mary*, St. *George*, and St. *Andrew*, ſhall be ſeverally ſubject to the like Pains and Penalties for their or any of their Neglect of their Duty therein; and be in the ſame Way and Manner recovered, and in the like Manner applied as is provided for and appointed in the Act for the Highways for the Neglect of their ſeveral Duties in the like Kind. Penalty on Surveyors Default.

IV. PRO-

1693. V. Provided always, That if at any Time hereafter it ſhall be found neceſſary that the ſaid Path or Paths, or any Part of them, ſhould be turned or altered, that it ſhall and may be done in ſuch Manner as in the ſaid Act for the Highways is provided and appointed in the ſaid Act, for turning or altering old Ways to more Conveniencies; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Proviſo.

An Act appointing the Prices of Meats, and regulating Markets.

Act 35. FOR Prevention of the many Hardſhips and Abuſes that may be put upon the Inhabitants of this Iſland, by thoſe that ſell in publick Markets the ſeveral ſorts of Meats hereafter mentioned, and demand extravagant Prices for the ſame; be it enacted by their Majeſties Lieutenant-Governor, Council and Aſſembly of this Iſland, and is is hereby enacted and ordained by the Authority of the ſame, That no Perſon or Perſons, upon any Pretence whatſoever, ſelling in any publick Market within this Iſland, any of the ſeveral Kinds of Meat hereafter named, preſume to aſk, demand or receive, for freſh Beef or Goat, any more, higher, or greater Price than Four Pence *per* Pound; Mutton, Six-Pence; Veal, the Breaſt and Loin, Nine-Pence; and any other Part thereof, Seven-Pence-Halfpenny the Pound; Hog, that weigheth Twelve Pounds the Quarter, or under, Seven-Pence-Halfpenny, and all weighing above, Six-Pence the Pound; Lamb or Kid, Seven-Pence-Halfpenny the Pound; all which ſaid Meat ſhall be weighed without the Head, Intrails, or Feet; and no Suet to be ſold at higher Rates than the Meats aforeſaid.

Regulation of the Prices of Meats.

Diſtinction of Meats. II. And be it further enacted by the Authority aforeſaid, That any Meat brought into the Market, and offered, after cut up, to be ſold for Veal, weighing above Twenty-five Pounds the Quarter, ſhall be adjudged Beef; and for Lamb weighing above Eight Pounds the Quarter, ſhall be deemed Mutton; and each ſold by the Quarter or Joint, at the reſpective Prices in this Act before mentioned.

Lamb to be brought into the Market with the Heads on, &c. III. And to prevent ſelling and putting off old and ſmall Mutton for Lamb, be it further enacted by the Authority aforeſaid, That all Lamb ſhall be brought into the open Market with the Heads on, and ſhewn, before cut up, to the Clerk thereof, with the uſual Signs and Marks of Diſtinction, that he, upon Scruple, may determine the Matter between Buyer and Seller.

Meats to be ſold by Retale in open Market only. IV. And be it further enacted by the Authority aforeſaid, That no common Seller, Butcher, Cutter up of Tortle, or any other Perſon whatſoever, ſell Tortle or any of the Meats before mentioned, by Retale, but in open Market; where they ſhall not refuſe to ſell the ſame to any Perſon, bringing ready Money, by the Quarter, Joint, or Piece, by Weight, not leſs than the Value of Seven-Pence-Halfpenny, at the Prices aforeſaid; without conditionally impoſing upon the Buyer the Head, Feet, Inwards, or any Part thereof, or Meat of any other Kind whatſoever; which Meat ſo bought and paid for, ſhall immediately be, or cauſed to be removed out of the ſaid Market by the Perſon buying the ſame.

What to be counted open Market. V. And to the End that it may be underſtood what within this Act ſhall be accounted the public and open Market, be it enacted by the Authority aforeſaid, That the Place appointed by the Juſtices in Seſſions for the ſelling there the ſeveral Sorts of Meat in this Act mentioned, ſhall be deemed the publick Market-place, and the Market's opening by the Ringing of the Bell by the Clerk thereof, or his Order; which on *Saturdays* ſhall be at Three of the Clock in the Afternoon, and on that and all other Days (*Sundays* excepted) at Five of the Clock in the Morning, and not ſooner; in which Place, and after which Time, the Market ſhall be adjudged open and public, within this Act, as aforeſaid.

Commencement of the Act. VI. Be it further enacted by the Authority aforeſaid, That from and after the Tenth Day of *Auguſt*, of this preſent Year One thouſand ſix hundred ninety three, this Act, and every Clauſe thereof, is and ſhall be of Force, to all Intents and Purpoſes whatſoever.

40 s: Penalty for Offence. VII. And be it further enacted by the Authority aforeſaid, That all and every Perſon whatſover, Seller, Buyer, or Officer, that ſhall offend againſt any Particular in this Act mentioned or contained, or any Branch thereof; he, ſhe, or they ſo offending, ſhall forfeit Forty Shillings for every ſuch Offence; one Half to the Church-wardens of the Pariſh where ſuch Offence ſhall be committed, for

for the Uſe of the ſaid Pariſh; the other Half to the Clerk of the Market, Informer, or who ſhall ſue for the ſame; to be recovered before any Juſtice of the Peace; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. 1693.

An Act for erecting and eſtabliſhing a Free-ſchool in the Pariſh of St. Andrew. 1695.

Act 36.

HUMBLY beſeeching your moſt Excellent Majeſty (*Nicholas Laws*, of the Pariſh of St. *Andrew*, in the Iſland aforeſaid, Eſq; being ſeiſed in his Demeſne, as of Fee, of and in two Acres and a Half of Land, ſituate, lying, and being at Half-Way Tree, in the Pariſh of St. *Andrew* aforeſaid, butting South-eaſterly on the great Road, Eaſt on *Thomas Webb*, Northerly on *Francis Daniel*, and Weſt-ſoutherly on the ſaid *Nicholas Laws*, whereon is a Meſſuage and Buildings thereto belonging convenient for a Free-ſchool) that it may be enacted, ordained, and eſtabliſhed; and be it enacted, ordained, and eſtabliſhed by Your Majeſty's Lieutenant-Governor, Council, and Aſſembly, of this Iſland, and it is hereby enacted, ordained, and eſtabliſhed by the Authority of the ſame, That it ſhall and may be lawful to make and eſtabliſh on the ſaid Land a Free-ſchool, for the Abiding, Dwelling, and neceſſary Uſe of one or more School-maſters and Uſhers of the Religion of the Church of *England*, for the inſtructing (without Charge) of Youth in *Reading*, *Writing*, *Latin*, *Greek*, *Hebrew*, *Arithmetick*, *Merchants Accompts*, and the *Mathematicks*, the Children of the Pariſh of St. *Andrew* and *Kingſton*, and the Children of all ſuch as ſhall ſettle to the Value of Five Pounds *per Annum*, or pay Fifty Pounds current Money of *Jamaica*, for the Improvement and Advancement of the ſaid School; and that the ſame ſhall and may be called and named *St. Andrew's Free-ſchool*; and that there be Seven fit and able Perſons of the Pariſh of St. *Andrew* and *Kingſton* aforeſaid, nominated and appointed Governors of the ſaid Free-ſchool; and that upon the Deceaſe or Reſignation of, or Departure from this Iſland of any of the ſaid Governors of the Pariſhes of St *Andrew* and *Kingſton* aforeſaid, others of the ſaid Pariſhes, within three Months after ſuch Death, Reſignation, or Departure from this Iſland, ſhall and may be choſen by the reſt of the Governors, or the major Part of them, out of the Inhabitants of the ſaid Pariſhes; and that *James Bradſhaw*, *Edward Harriſon*, *Peter Robinſon*, *Joſiah Heathcote*, *Charles De la Cree*, *Thomas Clarke*, jun. and *Thomas Aſhburne*, Eſqrs. ſhall and may be Governors of the ſaid Free-ſchool; and that they the ſaid Governors, and they who ſhall ſucceed by ſuch Choice and Election, ſhall be Governors of the ſaid Free-ſchool, and of the Land and Houſes now uſed and occupied, given by the ſaid *Nicholas Laws*, and of all Meſſuages, Lands, Tenements, and Hereditaments whatſoever, which ſhall or may be given by any Perſon or Perſons whatſoever, or purchaſed by the ſaid Governors or their Succeſſors, for the Uſe or Benefit of the ſaid Free-ſchool, at all Times hereafter for ever; and that the ſaid Governors and their Succeſſors, and Free-ſchool, ſhall for ever hereafter ſtand and be incorporated, eſtabliſhed, and founded, in Name and in Deed, a Body politick incorporate, to have Continuance for ever, by the Name of *The Governors of the Free-ſchool of St.* Andrew; and that they the ſaid Governors may have perpetual Succeſſion; and that by that Name they and their Succeſſors may for ever hereafter have, hold, and enjoy the ſaid Free-ſchool, and all Meſſuages, Lands, Tenements, and Hereditaments, and all Gifts or Benefices which at any Time or Times hereafter ſhall be given or purchaſed for the Uſe and Benefit of the ſaid Free-ſchool, without any Licence of or for the Statute of *Mortmain*, or any other Statute to the contrary notwithſtanding.

A Free-ſchool to be eſtabliſhed in the Pariſh of St. *Andrew*.

Governors of the ſame nominated,

and incorporated,

II. And that the ſaid Governors, or their Succeſſors, or the major Part of them, by the ſame Name, ſhall and may have Power, Ability, and Capacity to demiſe, leaſe, and grant their Poſſeſſions and Hereditaments as above, given by the ſaid *Nicholas Laws*, and every of them; and to take, acquire, and purchaſe, and to ſue and be ſued, and to do, perform, and execute all and every lawful Act and Thing, good and neceſſary, and profitable for the ſaid Corporation, in

with full Power of acting;

1695. as full and ample Manner and Form, to all Intents, Conſtructions, and Purpoſes, as any other Corporation or Body politick and corporate, fully and perfectly incorporated, may do.

and to have a Common Seal.

III. And that the ſaid Governors, and their Succeſſors, for the Time being, may have and uſe a Common Seal, for the making, granting, and demiſing of ſuch their Demiſes and Leaſes, and for the doing of all and every other Thing or Things touching or in any wiſe concerning the ſaid Corporation; in which Seal ſhall be engraven the Arms of the ſaid *Nicholas Laws*.

The Nomination of School-maſter, ſupplying of Vacancies, &c. veſted in them.

IV. And alſo that it may be enacted by the Authority aforeſaid, and be it enacted by the Authority aforeſaid, That the Governors, or their Succeſſors for the Time being, or the moſt Part of them, ſhall have full Power and Authority to nominate, and ſhall and may nominate and appoint, when and as often as they ſhall think good, ſuch Perſon or Perſons as they ſhall think meet to be School-maſters and Uſhers of the ſaid School; and receive into the ſaid School as many poor Children as the ſaid Governors, or the major Part of them for the Time being, ſhall think fit; to be maintained in Proportion to the Revenues of the ſaid School for the Time being; and when any of them, by Death, Reſignation, Deprivation, or otherwiſe, ſhall become void, ſhall and may, within Three Months next after ſuch Voidance, by Writing under their ſaid Common Seal, nominate and appoint one or more learned, godly, diſcreet, and meet Men and Perſons to be School-maſters and Uſhers; and Children in the Places of them and every of them ſo deceaſing, reſigning, or otherwiſe becoming void; and that they the ſaid Governors, and their Succeſſors, may from Time to Time expend ſuch Sum or Sums of Money, in Proportion to the Revenues of the ſaid School, and as the ſame will bear it, in and about the repairing, maintaining, upholding, or enlarging of the ſaid Meſſuage and Buildings thereto belonging, as to the ſaid Governors for the Time being, or the major Part of them, ſhall ſeem meet, requiſite, and neceſſary.

Governors to preſcribe Rules, &c. for the Free-ſchool.

V. And that it may be enacted by the Authority aforeſaid, and be it enacted by the Authority aforeſaid, That the ſaid Governors, and their Succeſſors for the Time being, or the major Part of them, ſhall and may have full Power and Authority, under the ſaid Common Seal, to make, ordain, ſet down, and preſcribe ſuch Rules, Statutes, and Ordinances, for the Order, Rule, and Government of the ſaid Free-ſchool, and of the ſaid Maſters, Uſhers, and Children, and their Succeſſors, for their and every of their Stipends and Allowances, for and towards their and every of their Maintenance and Relief, as to the ſaid Governors, or their Succeſſors for the Time being, or the moſt Part of them, ſhall ſeem meet and convenient; and that the ſame Orders, Rules, Statutes, and Ordinances, ſo by them, or the major Part of them made, ſet down, and preſcribed, as aforeſaid, ſhall be and ſtand in full Force and Strength in Law; the ſame not being repugnant nor contrary to his Majeſty's Prerogative Royal, nor the Laws and Statutes of *England*, or this Iſland, nor to any Eccleſiaſtical Canons or Conſtitutions of the Church of *England*.

Governors impowered to viſit the ſaid School, &c.

VI. And that the Governors, and their Succeſſors for the Time being, or the moſt Part of them, ſhall and may have full Power and Authority to viſit the ſaid School, and to order, reform, and redreſs all Diſorders and Abuſes in and touching the Government and diſpoſing of the ſame; and further, to cenſure, ſuſpend, and deprive the ſaid School-maſters, Uſhers, poor Children for the Time being, and every or any of them, as to them, or the major Part of them, ſhall ſeem juſt, fit, and convenient.

but not to rent any Lands belonging to it.

VII. And it is alſo enacted by the Authority aforeſaid, That it ſhall not be lawful for the Governors for the Time being, or any of them, to or for their own private Uſe or Benefit, to buy, ſell, rent, or leaſe any of the Lands or Tenements ſettled, purchaſed, or given for the Uſes aforeſaid.

By whom new Governors ſhall be choſen or appointed.

VIII. And it is further enacted by the Authority aforeſaid, That if any of the Governors for the Time being ſhall deceaſe, reſign, or depart this Iſland, and the ſurviving or remaining Governors ſhall refuſe or neglect to chooſe others in their Room or Stead within Three Months after ſuch Death, Reſignation, or Departure; that then it ſhall and may be lawful, to and for the Governor of this Iſland

Iſland for the Time being, by Letters-patents under the Broad Seal of this Iſland, to nominate and appoint ſuch Perſon or Perſons as he ſhall think fit, to be Governor or Governors of the ſaid School, in the Place or Places of thoſe ſo deceaſed, reſigned, or departed; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding. 1695.

An Act for the more ſpeedy collecting his Majeſty's Quit-Rents, Fines, Forfeitures, and Amerciaments. 1696.

Act 37.

How Arrears of Quit-rent due to his Majeſty ſhall be aſcertained;

BE it enacted by His Majeſty's Lieutenant-Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That all and every Perſon or Perſons who ſhall repair to the Town of St. *Jago de la Vega* within Twelve Months after the making of this Act, and there account with the Receiver-general for the Time being for ſuch Sum or Sums of Money as may be due to his Majeſty for Quit-Rent, and make Oath, if privy to the Payment, that they have duly paid their Quit-Rent to ſuch a Year, but that their Receipts for the ſame are, by ſome Caſualty, loſt; and if not privy, that they believe they were paid, but that they cannot find the Receipts (which Oath the ſaid Receiver-general is hereby impowered to adminiſter, and at the Requeſt of the Party obliged to tender) and ſhall pay, or give good Security to pay, in ſome ſhort Time, ſuch Sum or Sums of Money as they ſhall be found in Arrears; that then, and in ſuch Caſe, every ſuch Perſon and Perſons ſhall be diſcharged againſt his Majeſty, his Heirs and Succeſſors, to the Time of which they ſhall make Oath, as aforeſaid: And the Receiver-general ſhall give every ſuch Perſon as ſhall demand the ſame, a Certificate, that he has accounted with him, her, or them, and made Oath, as aforeſaid; for which the Party or Parties demanding the ſame, ſhall pay the Sum of Two Shillings and Six-Pence, and no more; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

and to whom paid;

II. And be it further enacted and ordained by the Authority aforeſaid, That all and every Perſon or Perſons (not being Orphans) that do not inhabit within this Iſland, and are poſſeſſed of and hold ſeveral Tracts of Land, whereupon no Settlement or Plantation hath hitherto been made; every ſuch Perſon or Perſons (not being Orphans, as aforeſaid) are hereby required and obliged to account with the Receiver-general for the Time being, and pay all ſuch Sum and Sums of Money as ſhall be found due and in Arrears to his Majeſty for Quit-Rents, and likewiſe ſettle and plant upon ſome one Parcel of the ſaid ſeveral Tract or Tracts of Land he ſo holdeth, as aforeſaid, within Two Years after the paſſing of this Act, on Penalty of forfeiting the ſaid Lands: And in caſe at the Expiration of the ſaid Term, the Owners or Poſſeſſors not having done and performed as by this Act is required, that then the Provoſt-marſhal-general of this Iſland is hereby authorized and required to make Proclamation of the ſame in the Supreme Court of Judicature, held at the Town of St. *Jago de la Vega* aforeſaid, the Two next Courts after ſuch Failure and Forfeiture, as aforeſaid, and no Perſon appearing to defend the ſame, Judgment ſhall be affirmed for the King; and the ſaid Provoſt-marſhal is hereby required and impowered to ſeize the ſame accordingly; and then, and from thenceforth the ſaid Lands, as aforeſaid, ſhall be ſolely veſted in our Sovereign Lord the King, his Heirs and Succeſſors, which ſhall be a perpetual Bar againſt any former Patent, Grant, or Claim whatſoever: And then it ſhall and may be lawful for the Governor or Commander in Chief of this Iſland for the Time being, by Letters-patent under the Broad Seal of this Iſland, to grant the ſaid Lands to any Perſon whatſoever; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

in Default whereof the Lands may be ſeized for the King.

and regranted.

III. And be it further enacted and ordained by the Authority aforeſaid, That all and every Owner or Poſſeſſor of Lands, Inhabitants within this Iſland, firſt having duly accounted and paid his Majeſty's Quit-Rents, and all and every the Arrearages due for the ſame, hereby have Power to reſign and ſurrender any whole Tract or Parcel of Land, or Grant they now hold or are in Poſſeſſion of, into the Hands of our Sovereign Lord the King, his Heirs and Succeſſors; which Surrender ſhall be made by Delivery up into the Hands of the Clerk of the Chancery

Perſons ſurrendering their Lands, &c. diſcharged from all growing Rents.

1696. cery for the Time being, all ſuch Patents, Grants, and Evidences, whereby they have held the ſame, or by certifying the Records thereof: And the ſaid Clerk of the Chancery is hereby required and impowered to accept and receive the ſame; and upon Receipt thereof, to give a Certificate under his Hand to the Perſon or Perſons ſurrendering as aforeſaid, in which ſhall be expreſſed the Date of the Grant, the Quantity of Land, the Pariſh it lies in, and the Bounds of the ſaid Land; which being duly acknowledged by the Clerk of the Chancery before the Governor for the Time being, or before ſome one of the Judges of the Courts within this Iſland, and Record thereof made in the Secretary's Office, ſhall be deemed and taken as a total Reſignation and Surrender of ſuch Grant or Patent; and the Perſon or Perſons ſurrendering in Manner aforeſaid, ſhall be acquitted and diſcharged from all growing Rents and Services required for the ſame; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Lands ſo ſurrendered may be regranted.

IV. And be it further enacted by the Authority aforeſaid, That after Surrender of any Lands, as aforeſaid, that it ſhall and may be lawful for the Governor or Commander in Chief for the Time being, by Letters-patent under the Broad Seal of this Iſland, to grant the ſaid Lands ſo ſurrendered, to any Perſon or Perſons whatſoever: And that the Clerk of the Chancery have and receive for a Fee, for his Certificate and acknowledging, the Sum of Five Shillings for every Parcel of Land ſo reſigned and ſurrendered; and the Secretary the Sum of Two Shillings and Six-Pence, for recording the ſame; any Thing in this, or any other Act to the contrary notwithſtanding.

All Fines to be paid to the Receiver-general.

Penalty on Officers neglecting ſo to do.

V. And be it further enacted and ordained by the Authority aforeſaid, That all Fines, Forfeitures, or Amerciaments, ariſing within any of the Courts of Judicature within this Iſland, where his Majeſty's Grace and Favour is not extended, ſhall be paid by the Provoſt-marſhal, or his Deputy, into the Hands of the Receiver-general: And whatſoever Officer or Officers, or other Perſon whatſoever within this Iſland, that ſhall receive any of the Fines, Forfeitures, or Amerciaments, that hath not been already appropriated, and ſhall neglect or delay to pay the ſame at or before the next Supreme Court of Judicature, after the ſaid Fines, Forfeitures, or Amerciaments, are adjudged or condemned in any of the inferior Courts in this Iſland, ſhall, for every ſuch Offence, pay double the Sum of Money ſo received and not paid in; to be recovered by Action of Debt in any Court of Record within this Iſland.

Judges, &c. of inferior Courts to certify all Fines to ſupreme Courts.

VI. And that all the *Cuſtos Rotulorums*, Juſtices and Judges of the ſeveral inferior Courts within this Iſland, ſhall certify all the ſaid Fines, Forfeitures, and Amerciaments, within their ſeveral Juriſdictions ſo adjudged, as aforeſaid, into the Supreme Court within one Month after ſuch Judgment, as aforeſaid, is paſſed for the ſame, to be eſtreated for the more ſpeedy and certain collecting and receiving the ſame by the ſaid Receiver-general of his Majeſty's Revenue of this Iſland; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Provoſt-marſhal, &c. to take the following Oath.

VII. And be it further enacted by the Authority aforeſaid, That from henceforth the Provoſt-marſhal, his Deputies, Clerk of the Supreme Court, and the Clerks of the Crown and Peace within the ſeveral Precincts of this Iſland, and all others to whom it belongeth to make Returns of the Certificates, ſhall, upon Delivery of all and every ſuch Certificates, take the Oath following: That is to ſay;

The Oath.

YOU ſhall ſwear, That theſe Fines, Forfeitures, and Amerciaments are truly and carefully entered, made up, and examined; and that all Fines, Iſſues, Amerciaments, Recognizances, and Forfeitures, which were ſet, loſt, impoſed, or forfeited, and in Right and due Courſe of Law ought to be eſtreated into the Supreme Court of Judicature, are, to the beſt of our Knowledge and Underſtanding, therein contained: And that in the ſame Fines, Forfeitures, and Amerciaments are alſo contained and expreſſed all ſuch Fines, Forfeitures, and Amerciaments as have been paid into the Court from which the ſaid Eſtreats are made, without any wilful or fraudulent Diſcharge, Diſmiſſion, Omiſſion, Miſnomer, or Default whatſoever:

So help you God.

Which

Which ſaid Oath the Judges of his Majeſty's Supreme Court to the Clerk thereof, and in all other Precincts, the Juſtices in Seſſions are hereby required and impowered to adminiſter from Time to Time accordingly; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. 1696.

VIII. AND be it further enacted and ordained by the Authority aforeſaid, That all Fines and Forfeitures in this Act mentioned and contained, be one Moiety or Half-part thereof unto our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Half to the Informer, or he that ſhall ſue for the ſame; to be recovered in any Court of Record within this Iſland, where no Eſſoin, Protection, or Wager of Law ſhall be allowed; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. Diſpoſition of Forfeitures.

An Act for the better Order and Government of Slaves.

ACT 38.

WHEREAS it is found by Experience, that the often Inſurrections and Rebellions of the Slaves within this Iſland have proved the Ruin and Deſtruction of ſeveral Families: To the End therefore that they may be puniſhed according to their Demerit, and their bloody and inhuman Practices; Be it enacted by his Majeſty's Lieutenant-Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That no Perſon whatſoever ſhall give Leave to any Slave under his, her, or their Care, Charge, or Ownerſhip (unleſs ſuch as wait on their Perſon, or go in Liveries) to go out of their Plantation without a Ticket or white Servant, in which Ticket there is to be expreſſed their Names and Number, and alſo from and to what Place, on Penalty of paying for their taking up as Runaways; and whoſoever ſhall not endeavour to take up or apprehend any Slave coming into their Plantations, or where they have Care or Charge (except as before excepted) and apprehending, ſhall not puniſh them by moderate Whipping, ſhall forfeit Forty Shillings. Owners of Slaves not to give them Leave to go out of their Plantation without a Ticket.

II. AND if any Slave ſhall offer any Violence, by ſtriking or otherwiſe, to any white Perſon, ſuch Slave ſhall be puniſhed at the Diſcretion of Two Juſtices and Three Freeholders, who may inflict Death or any other Puniſhment, according to their Diſcretion; provided ſuch Striking or Conflict be not by Command of his or their Owners, Overſeers, or Perſons intruſted over them, or in the lawful Defence of their Owners Perſons, or Goods. Slave's Puniſhment for ſtriking any white Perſon.

III. AND be it further enacted by the Authority aforeſaid, That all Slaves ſhall have Cloaths; (that is) Men, Jackets and Drawers; and Women, Jackets and Petticoats or Frocks once every Year, on or before the Twenty fifth Day of *December*, on Penalty of Five Shillings for every Slave's wanting; one Half to the Informer, the other Half to the Pariſh where ſuch Default ſhall be made. And the ſeveral and reſpective Conſtables within this Iſland ſhall take Care to preſent to the Juſtices all Owners or others, that have the Care of Slaves, that ſhall not perform the ſame every Year, the firſt Seſſions in *January*, before the ſaid Conſtables ſhall be diſcharged from their Offices. How Slaves ſhall be clothed.

IV. AND upon Complaint made by any Slave or Slaves, to any Conſtable, that the Owner, or Perſon that hath the Care of any Slave or Slaves, hath not given him, her, or them Cloaths, as in this Act is expreſſed, the ſaid Conſtable or Conſtables to whom ſuch Complaint ſhall be made, ſhall certify the ſame to the Juſtices in Seſſions, as aforeſaid; which ſaid Juſtices ſhall cauſe the Owner, or other Perſon, as aforeſaid, to come before them; and if, when appearing, he, ſhe, or they ſhall make Oath before the ſaid Juſtices that the Complaint is unjuſt, the ſaid Oath ſhall be a ſufficient Diſcharge. Slave's Complaint to be diſmiſſed, upon Owner's ſwearing that it is unjuſt.

V. AND that the Conſtables may not neglect their Duty herein, the Juſtices of the ſeveral Pariſhes and Precincts within this Iſland are hereby required and impowered to give in Charge upon Oath to every Conſtable the due Execution hereof. Conſtable to be ſworn not to neglect his Duty.

VI. AND all Maſters and Owners of Plantations ſhall, and are hereby required to have at all Times hereafter, one Acre of Ground well planted with Proviſion for every five Slaves he hath in his Plantation, under the Penalty of Forty Shillings for every Acre ſo wanting. All Owners of Plantations to have one Acre of Land for every five Slaves.

1696.

VII. And be it further enacted by the Authority aforeſaid, That no Perſon whatſoever, except the Provoſt-marſhal, at the Gaols of St. *Jago de la Vega*, *Port Royal*, and *Kingſton*, ſhall keep any runaway Slave or Slaves, above Ten Days; nor ſhall the Provoſt-marſhal, or any other Perſon whatſoever, employ any of them; or ſuffer him, her, or them in Cuſtody to want convenient Food, Water, and Lodging, on Penalty of Forty Pounds for every ſuch Offence, to be recovered by the Owner: And if the Provoſt-marſhal, or any other Perſon, ſhall ſuffer ſuch Slave to die in his or their Cuſtody for Want of Food and Water, or dry and convenient Lodging, the Provoſt-marſhal, or any other Perſon, in whoſe Cuſtody ſuch Slave was, ſhall forfeit to the Owner or Owners Fifty Pounds for ſuch Slave or Slaves; to be recovered by Action of Debt in any Court of Record within this Iſland.

Penalty on the Provoſt-marſhal, &c. employing runaway Slaves, or ſuffering them to want Proviſions, &c.

VIII. And if the Provoſt marſhal, Deputy-marſhal, or any other Perſon under them, on their Behalf, ſhall at any Time preſume to ſell or diſpoſe of any Slave or Slaves not having been Twelve Months in his or their Cuſtody, or in any other Place, Manner, or Times, than by publick Outcry at the Town of St. *Jago de la Vega* in the Times of the Supreme Courts, ſhall forfeit the Sum of Two hundred Pounds, current Money of this Iſland.

or diſpoſing of them otherwiſe than by publick Outcry;

IX. And be it further enacted by the Authority aforeſaid, That whoſoever ſhall take up any runaway Slave or Slaves, ſuch Perſon or Perſons ſhall bring the ſaid Runaways to his or their proper Owners, if they know them, on Penalty of Twenty Shillings, and receive for their Pains for each Slave Twelve Pence *per* Mile for the firſt Five Miles, and Eight Pence *per* Mile for every Mile more, provided it exceed not Forty Shillings in the whole for each Slave; but if they do not know the Owners, then to the next Marſhal or Gaol, upon Pain of Forfeiture, for every Day he or ſhe ſhall keep ſuch Slave or Slaves beyond the ſaid Ten Days, and thereof be convicted by Confeſſion or Verdict, of the Sum of Twenty Pounds: And no Perſon ſhall receive Payment for the taking up any Slave or Slaves, till he give an Account of his own Name and Place of Abode, with the Time and Place when and where taken up, with an Account of the Mark and Sex of all and every ſuch Slave and Slaves coming into their Cuſtody, which they ſhall cauſe to be fairly written and affixed upon a publick Place near the Gaols of St. *Jago de la Vega*, *Port Royal*, and *Kingſton*; and the Deſcription and Account aforeſaid every Six Weeks ſhall be fairly written and tranſmitted from and to each and every of the Three Places before mentioned, and once every Three Months to every Quarter-ſeſſions of the Peace within this Iſland, and publickly affixed, as aforeſaid, on the Penalty of Two hundred Pounds; and the ſaid Marſhal ſhall enter the ſaid Account in a Book, and alſo take a Receipt from any Perſon to whom he delivered the Runaway, with a Deſcription of the Perſon to whom delivered; and in caſe the Marſhal or Owner refuſe to make Payment for taking up ſuch runaway Slave or Slaves, and thereof Oath be made before any Juſtice of the Peace, the ſaid Juſtice is hereby authorized and required to direct his Warrant to the Conſtable, to cauſe the Value thereof to be immediately levied upon the Goods of the ſaid Marſhal or Owner, and the ſame to be ſold at public Outcry, and Satisfaction to be made to the Party aggrieved, returning the Overplus, if any there be, to the Owner.

and on Perſons who take them up, and bring them not to their proper Owners, &c.

X. And that it ſhall and may be lawful for the Marſhal to detain and keep in Cuſtody the Bodies of ſuch Runaways ſo brought unto him, until the Owners of them, or their Aſſigns, ſhall pay unto him what he ſo paid to them who took them up, with Two Shillings Six-Pence *per* Pound for laying out the Money, and ſo proportionably for a greater or leſſer Sum; and alſo Six-Pence for every Four and twenty Hours the ſaid Slave or Slaves hath been in Cuſtody.

Marſhal to detain runaway Negroes till the Owner reimburſes him his Expences.

XI. And if the ſaid Marſhal ſhall willingly or negligently ſuffer any Slave or Slaves to eſcape, to be employed, or by any Way or Means to be out of his Cuſtody, before he, ſhe, or they ſhall be duly delivered to the Owner, his, her, or their Aſſigns; then the Marſhal ſhall forfeit to the Owner Fifty Pounds current Money, for every Slave ſo eſcaping, employed, or being out of their Cuſtody, as aforeſaid.

Penalty on the Marſhal wilfully ſuffering any Slave to eſcape, &c.

XII. And whatſoever Slave or Slaves ſhall take up any Runaways, he, ſhe, or they ſhall have the whole Benefit thereof; and if any Perſon ſhall deprive any ſuch Slave of any ſuch Benefit, he, ſhe, or they ſhall forfeit treble the Value.

Slave taking up any Runaway, how to be rewarded.

XIII. And

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XIII. And be it further enacted by the Authority aforeſaid, That every Maſter, Miſtreſs, or Overſeer of a Family in this Iſland, ſhall cauſe all their Slaves Houſes to be diligently and effectually ſearched once every Fourteen Days, for Clubs, Wooden Swords, or other miſchievous Weapons, and finding any, ſhall take them away, and cauſe them to be burnt; and alſo, upon Requeſt made, to ſearch the ſame for ſtolen Cloaths, Goods, or any other Things or Commodities; and any Slave or Slaves, in whoſe Cuſtody ſuch ſtolen Goods ſhall be found, ſhall ſuffer Death, Tranſportation, Diſmembering, or other Puniſhment, at the Diſcretion of Two Juſtices and Three Freeholders, or the major Part of them, One of whom to be a Juſtice; and alſo if there ſhall be found in the Cuſtody of any Slave any thing ſuſpected or known to be ſtolen Goods, the ſame ſhall ſeize and take into their Cuſtody, and a full and exact Deſcription of the Particulars thereof ſhall give in Writing, within Six Days after Diſcovery thereof, to the Clerk of the Pariſh, or Clerk of the Court of the Precincts for the Time being, who are hereby required and impowered to receive the ſame, and enter upon it the Day of its Receipt, and give an Account at the Pariſh Church or Court of the Precincts in Writing, that ſuch Goods loſt are found; to the End the Owner, giving the Clerk Proof, by Mark or otherwiſe, that the Goods loſt belong to him, he may have the ſame reſtored, paying One Shilling Three Pence to the Clerk for his Entry and Declaration of the ſame; and the Parties by whom ſuch loſt Goods are taken into Cuſtody, are hereby required to make, and ſhall make Reſtitution of what is in being to the Owner, on Penalty of Twenty Pounds for each Neglect or Refuſal by Maſter, Miſtreſs, Overſeer, or Clerk, as aforeſaid.

Slaves Houſes to be ſearched for miſchievous Weapons, and if any found, may be burnt; and if any ſtolen Goods be found there, they may be puniſhed with Death, &c.

XIV. And if any Perſon whatſoever ſhall demand of any Maſter, Miſtreſs, or Overſeer, immediate Leave to ſearch all or any Slave's Houſe or Houſes in their Plantation for Goods loſt by the ſame Perſon, his Maſter or Miſtreſs; the Maſter, Miſtreſs, Overſeer, or other white Perſon refuſing ſuch Search, or delaying the Perſon demanding the ſame, ſhall forfeit the Sum of Twenty Pounds.

Penalty on Maſters, &c. refuſing to let his Slave's Houſe be ſearched.

XV. Provided nevertheleſs, That no Perſon whatſoever ſhall preſume to demand Leave to ſearch as aforeſaid, that hath not a Certificate under the Hand of ſome Juſtice of the Peace of that Precinct, ſignifying that ſuch Perſon hath made Oath before him, that he hath loſt ſuch Goods as he requires to ſearch for; and in caſe there is no Juſtice of the Peace near, that then the Perſon perform the ſame within Six Days after ſuch Search made, on Penalty of Twenty Pounds for every ſuch Offence; the one Half to the Uſe of the Pariſh, the other Half to the Party injured.

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XVI. And be it further enacted by the Authority aforeſaid, That no Perſon ſhall attempt or endeavour to ſteal or carry off this Iſland, hide, conceal, or employ any Slave, on Penalty of One hundred Pounds; but whoſoever ſhall actually ſteal a Slave, or deface his, her, or their Mark, ſhall be guilty of Felony, and ſhall be excluded the Benefit of Clergy.

Penalty on Perſons attempting to ſteal any Slave, &c.

XVII. And whatſoever Slave or Slaves ſhall hide or entertain any runaway Slave or Slaves, ſhall be ſeverely whipped by Order of any Juſtice of the Peace; and if the Owner or Owners, Overſeer, or other Perſon, that ſhall have Care of ſuch Slave or Slaves, ſo hiding or entertaining any Runaway or Runaways, ſhall in any wiſe endeavour to prevent ſuch Correction or Whipping, as aforeſaid, upon Proof thereof, ſhall forfeit Forty Shillings; to be recovered before any Juſtice of the Peace; the one Half to the Uſe of the Pariſh, the other Half to the Informer.

Slave hiding any Runaway to be ſeverely whipped, &c.

XVIII. And be it further enacted by the Authority aforeſaid, That if any Freeman or Servant ſhall kill or take any rebellious Slave or Slaves, he or they ſhall forthwith receive, as a Reward, Five Pounds, current Money; and if any Slave or Slaves ſhall kill or take any ſuch rebellious Slave or Slaves, he or they ſhall receive Forty Shillings of like Money, and a Serge Coat, with a red Croſs on the right Shoulder, which the Church-wardens of each of the reſpective Pariſhes where ſuch rebellious Slave or Slaves ſhall be killed or taken, are hereby required to pay out of the Pariſh Stock; and in caſe there be not ſo much of the

Reward for taking or killing a rebellious Slave.

1696. the Pariſh Money in the ſaid Church-wardens Hands, that he or they pay the ſame out of their own Money, which is to be re-imburſed to him or them out of the firſt Money raiſed in the next Year's Tax, together with Intereſt for ſo ready Payment of the ſaid Sum: And if the ſucceeding Church-wardens for the Year enſuing ſhall refuſe to pay and allow whatſoever Sum or Sums are expended by virtue of this Clauſe, that the ſame ſhall be heard and determined by any Juſtice of the Peace in the Precincts, in the ſame Manner as is provided in an Act, entituled, *An Act impowering Juſtices of the Peace to decide Differences not exceeding Forty Shillings.*

Slave continuing away for Twelve Months, to be deemed rebellious.

XIX. And be it further enacted by the Authority aforeſaid, That all and every Slave and Slaves that ſhall run away, and continue but for the Space of Twelve Months, except ſuch Slave or Slaves as ſhall not have been Three Years in this Iſland, ſhall be deemed rebellious, and their Taking ſhall be paid accordingly; which Slave or Slaves ſo taken, as a Puniſhment for their Crime, ſhall be tranſported by Order of Two Juſtices and Three Freeholders, or the major Part of them; one of whom to be a Juſtice, though no other Crime ſhall appear againſt them; which Order the Owner or Truſtee ſhall ſee duly executed, under the Penalty of Fifty Pounds for each Offence; to be recovered in any Court of Record in this Iſland.

Tranſported Slave returning to this Iſland, to be taken up and executed.

XX. And it is further enacted by the Authority aforeſaid, That if any Slave or Slaves tranſported off this Iſland by Order of Two Juſtices and Three Freeholders, as aforeſaid, for any Fault or Crime, ſhall at any Time wilfully return; upon Complaint made to any Juſtice of the Peace, he, upon View of the Record, is hereby impowered, under the Penalty of Fifty Pounds, immediately to iſſue out a Warrant, under his Hand and Seal, to any Marſhal or Conſtable forthwith to apprehend and execute, by hanging or otherwiſe, the ſaid Slave or Slaves ſo returning: And if any Slave or Slaves, condemned to be tranſported, ſhall not be ſent by the Owners, according to the Judgment of the Juſtices and Freeholders who condemned him or them; it ſhall and may be lawful for any Juſttice, on Complaint made, upon View of the Record of his Trial, to cauſe him or them to be executed, by hanging or otherwiſe, as is before directed.

Plantation deſerted for Six Months to be deſtroyed, &c.

XXI. And it is further enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Perſon to ruinate and deſtroy any Plantation deſerted for the Space of Six Months, leſt it become a Receptacle for Fugitives; and the Juſtices in Seſſions, upon Complaint made, whereby it appears to them that any ſuch deſerted Plantation doth remain undeſtroyed, to the Encouragement and Maintenance of out-lying Slaves, the ſaid Juſtices are hereby impowered to iſſue out their Warrants to the Surveyor or Surveyors of the Highways in that Pariſh or Precinct, for the deſtroying the Proviſions in the ſaid Plantations, who are hereby required and impowered to cauſe the ſame to be done, upon the ſame Account, and in the ſame Manner, as if it were upon the repairing the Highways; which ſhall be allowed in the Surveyor's Account accordingly.

Commiſſion-officer to purſue runaway Slaves.

XXII. And it is further enacted by the Authority aforeſaid, That every Commiſſion-officer within this Iſland ſhall be, and is hereby impowered and required, on Notice to him given of the Haunt, Reſidence, or Hiding-place of any runaway Slaves, to raiſe a convenient Party of Men, not exceeding Twenty, and with them to purſue, kill, or take alive, all or any of the ſaid Runaways, and ſhall have and receive from their Owners, as a Reward for their ſo doing,

His Reward for taking them, &c.

Forty Shillings *per* Head for all Slaves taken and brought in alive, and Twenty Shillings *per* Head for every Slave killed or driven Home; that is to ſay, for all Slaves run away that ſhall ſurrender themſelves after the going out of the ſaid Party: All which Sums ſhall be recovered before any Two Juſtices of the Peace, who are hereby impowered and required, upon Complaint made to them, to proceed therein as in all Caſes of Forty Shillings; which ſaid Money ſhall be divided among the ſaid Party, the Officer reſerving Three Shares to himſelf; and whatſoever Commiſſion-Officer or Officers ſhall neglect his or their Duty therein, he or they ſhall forfeit the Sum of Twenty Pounds.

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Justice to issue his Warrant for apprehending and trying of Felons.

XXIII. And be it further enacted by the Authority aforesaid, That upon Complaint made to any Justice of the Peace of any Felony, Burglary, Robbery, burning of Houses, Canes, rebellious Conspiracies, or any other Capital Offence whatsoever, he the said Justice shall issue out his Warrant for the apprehending the Offender or Offenders, and for all Persons to come before him that can give Evidence, (and the Evidence of one Slave against another, in this and all other Cases, shall be deemed good and sufficient Proof) and if upon Examination it probably appears, that the Apprehended are guilty, he shall commit him, her, or them to Prison, and certify to the next Justice the Cause, and require him, by virtue of this Act, to associate himself to him; which such Justice is hereby required to do: And they so associated shall issue out their Warrant to summon Three Freeholders, setting forth to them the Matter; and requiring them at a certain Day and Hour, and at such a Place as the Justices and Vestry, or the Justices where no Vestry is, shall, as by this Act directed, appoint for such Trials; at which Time and Place the said Justices and Freeholders shall cause the said Offender or Offenders and Evidence to come before them; and if they, on hearing of the Matter, (the said Freeholders being by the Justices first sworn to judge uprightly and according to Evidence, which Oaths the said Justices are hereby impowered and required to administer) shall judge the Criminal or Criminals guilty of the Offence complained of, they, or the major Part of them, of whom one to be a Justice, as in all Trials within this Act, shall give Sentence of Death, Transportation, Dismembering, or any other Punishment as they in their Judgment shall think meet to inflict, and forthwith, by their Warrant, cause immediate Execution to be done by the common, or any other Executioner; (Women with Child only excepted, who are hereby reprieved till after Delivery) and if they judge not the Criminals to die for any Crime, but to receive corporal Punishment; and that the Owner, as a Recompence, pay unto the Party or Parties injured a certain Sum of Money; that then, in case the Owner or Owners refuse to pay the said Sum, the said Justices and Freeholders may adjudge the said Criminal or Criminals to the Party or Parties injured, his, her, or their Heirs for ever.

Slave imagining the Death of a white Person, to be executed.

XXIV. And if any Slave or Slaves shall compass or imagine the Death of any white Person, and thereof be attainted, by open Deed, before Two Justices and Three Freeholders, such Slave or Slaves shall suffer Death; any thing herein to the contrary notwithstanding: And that all Petit Crimes, Trespasses, and Injuries committed by any Slave or Slaves, shall be heard and determined by any of his Majesty's Justices within this Island.

Officers Punishment for Neglect of Duty.

XXV. And if any Justice, Freeholder, or Marshal shall neglect his or their Duty herein, shall respectively forfeit Twenty Pounds current Money.

Proviso.

* This Clause explained, Act 141. Cl. 1.

XXVI. Provided nevertheless, *That when, and as often as any of the aforementioned Crimes are committed by more than one Slave, that shall deserve Death; (Murder only excepted) that then, and in all such Cases, only one of the said Criminals shall suffer Death, as exemplary to the rest, who are to be returned to the Owners, after having received such corporal Punishment as the said Justices and Freeholders aforesaid shall think fit to inflict; which Owner or Owners of Slave or Slaves so delivered back, shall bear proportionably the Loss of the said Slave so put to Death; and the Owner of the said Slave so put to Death, with the Owner or Owners of the said Slave or Slaves not executed, shall pay proportionably the Damage done by the said Criminals to the Party or Parties injured as shall be allotted them by the Justices and Freeholders, as aforesaid, not exceeding the Value of the Slave executed.

Justices may detain any Person's Goods who refuses to pay.

XXVII. And if any Person shall refuse to pay his, her, or their Part so allotted him, her, or them; that then, and in all such Cases, the said Justices and Freeholders are hereby required and impowered to issue out their Warrant of Distress upon the Goods and Chattels of the Person so refusing, whether they be Owner, Executor, Administrator, Guardian, or Attorney; and shall cause the same to be sold at publick Outcry, to satisfy the said Money so allotted them; to pay and return the Overplus, if any, to the Person concerned, first deducting Twelve-Pence in the Pound for the said Distress and Sale.

100*l.* Penalty on Persons concealing Slaves.

XXVIII. And it is further enacted by the Authority aforesaid, That if any Person shall hide, conceal, or make away with any Slave or Slaves, suspected to

1696. be guilty of any Capital Offence, and not upon Demand, bring forth the Slave or Slaves, ſuch Perſon ſhall forfeit One Hundred Pounds.

Any white Servant taken in ſtealing Wood, his Owner ſhall pay 3*l.*

XXIX. And be it further enacted by the Authority aforeſaid, That if any white Servant ſhall be taken ſtealing any Wood or Timber whatſoever, or any Bark fit for tanning, and be thereof convicted before any Two of his Majeſty's Juſtices of the Peace; the Maſter or Miſtreſs of the ſaid white Servant or Servants ſo offending, ſhall pay unto the Owner or Proprietor of the Land where the Offence ſhall be committed the Sum of three Pounds, current Money of this Iſland; to be recovered before the ſaid Juſtices, who are hereby impowered and required to order the ſame, as in all Caſes of Forty Shillings: But if upon any Slave or Slaves ſhall be found any Wood, Timber, or Bark, as aforeſaid, ſuch Slave or Slaves ſo offending, upon Proof thereof before any Two Juſtices of the Peace, ſhall be by the ſaid Juſtices condemned to ſerve the ſaid Owner or Owners, Proprietor or Proprietors of the ſaid Land ſix Months, without any Satisfaction given to the Perſon or Perſons to whom the ſaid Slave or Slaves do belong; any thing to the contrary notwithſtanding.

but if a Slave how to be puniſhed.

In what Caſe Perſon killing a Slave is not liable to an Action.

XXX. And be it further enacted by the Authority aforeſaid, That if any Perſon ſhall kill a Slave, ſtealing or running away, that ſhall by Night be found out of his Owner's Ground, Road, or Path, and refuſeth to ſubmit, ſuch Perſon ſhall not be liable to any Damage or Action for the ſame; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Juſtices, *&c.* to appoint a Place for the Trial of Slaves.

XXXI. And be it further enacted by the Authority aforeſaid, That the Juſtices and Veſtry, or the Juſtices where no Veſtries are, within the ſeveral Pariſhes and Precincts in this Iſland, ſhall appoint a certain Place in each Pariſh or Precinct where ſhall be the Trial of all Slaves for Capital Offences; and a Record ſhall be kept of all Proceedings thereon in a diſtinct Book by the Clerk of the Peace, or Clerk of the Veſtry, where there are no Clerks of the Peace, of each Precinct, who is hereby obliged to give his Attendance at all ſuch Trials; for which he and the other Officers ſhall receive ſuch Fees as the Juſtices and Veſtry, or the Juſtices where there is no Veſtry, ſhall allow; which ſhall be paid by the Pariſh, if the Slave ſhall ſuffer Death, but by the Owner, if tranſported.

Slave attempting to poiſon another Slave, *&c.* to be puniſhed with Death.

XXXII. And whereas divers Slaves have of late attempted to deſtroy ſeveral People, as well white as black, by Poiſon; the Conſequences of which ſecret Way of murdering may prove fatal, if not timely prevented; Be it enacted by the Authority aforeſaid, That if any Negro, or any Slave or Slaves, before the making of this Act, have maliciouſly given or attempted to give, or ſhall hereafter maliciouſly give, attempt, or cauſe to be given to any Perſon whatſoever, free or Slave, any manner of Poiſon, although the ſame was never taken, or if taken, Death did not or ſhall not enſue upon the taking thereof; the ſaid Slave or Slaves, together with their Acceſſaries, as well before as after the Fact, being Slaves, and convicted thereof before Two Juſtices of the Peace and Three Freeholders, as aforeſaid, ſhall be judged guilty of Murder, as if the Party or Parties that took or ſhall take the ſame had died; and ſhall be condemned to ſuffer Death, by Hanging, Burning, or ſuch other Way or Means as to the ſaid Juſtices and Freeholders ſhall ſeem moſt convenient.

Slaves, altho' freed, how to be tried.

[*This Clauſe repealed*, Act 153, Cl. 3.

XXXIII. And it is further enacted by the Authority aforeſaid, That all ſuch as have been Slaves and are already freed, as alſo all ſuch as are now Slaves and ſhall hereafter be declared free, ſhall for all Offences, capital or criminal, be tried and adjudged after the Method and Manner within this Act; and the Evidence of a Slave againſt them to be good and valid to all Intents and Purpoſes; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Penalty on Perſons ſuffering Slaves to rendezvous, feaſt, *&c.*

XXXIV. And for the Prevention of the meeting of Slaves in great Numbers on *Sundays* and Holidays, whereby they have taken Liberty to contrive and bring to paſs many of their bloody and inhuman Tranſactions: Be it enacted by the Authority aforeſaid, That no Maſters or Miſtreſſes, or Overſeers, ſhall ſuffer any Drumming or Meeting of any Slaves, not belonging to their own Plantation, to rendezvous, feaſt, revel, beat Drum, or cauſe any other Diſturbance, but forthwith endeavour to diſperſe them, by him, or herſelf, Overſeer, or Servants; or not being capacitated to do the ſame, that he preſently give Notice to the next Commiſſion-Officer to raiſe ſuch Number of Men as may be ſuffici-

ent to reduce the ſaid Slaves: And the ſaid Commiſſion-Officer is hereby required and impowered immediatly to raiſe the ſaid Men, to reduce and diſperſe the ſaid Slaves: And whatſoever Owner or Owners, Overſeer, or Commiſſion-Officer, ſhall neglect his or their Duty herein, ſhall forfeit the Sum of Forty Shillings for every ſuch Offence; to be recovered by Warrant before any Juſtice of the Peace of the ſaid Precincts. 1696.

Permitting Slaves to hire out themſelves, forfeits 40s.

XXXV. And be it further enacted by the Authority aforeſaid, That no Perſon whatſoever ſhall permit or give Leave to any Slave or Slaves of their own, or under their Care, to hire out themſelves; or if any Perſon whatſoever ſhall hire any Slave or Slaves in any other Way or Manner than of their Maſters, Miſtreſſes, or other Perſon impowered to let the ſaid Slave or Slaves to hire, or permit them to travel about the Country; or if any Owner or Owners ſhall contract with his, her, or their Slave or Slaves, for any Sum of Money, or other Conſideration whatſoever, to give Liberty to the ſaid Slave or Slaves to employ themſelves as they ſhall think fit, paying ſuch Sum of Money, or other Conſideration; he, ſhe, or they ſhall forfeit the Sum of Forty Shillings for every ſuch Offence; to be recovered before any Juſtice of the Peace; one Half to the Informer; the other Half to be paid to the Church-wardens of the Pariſh, for the Uſe of the Pariſh where ſuch Offence is committed.

Puniſhment of a Slave for ſelling Goods that belong not to his Owner.

XXXVI. And if any Slave or Slaves ſhall buy or ſell in any Place or Market whatſoever any other Goods than ſuch as properly belong to their Owners, or are bought for their Owners Uſe, or are expreſſed in a Ticket from their Owner or Overſeer; ſuch Slave or Slaves, upon Complaint made to a Juſtice of the Peace, ſhall immediately be whipped by Order and at the Diſcretion of the ſaid Juſtice; and whoſoever ſhall receive from, or buy or ſell with ſuch Slave or Slaves, contrary to the true Intent and Meaning of this Act, ſhall forfeit Ten Pounds for every ſuch Offence; to be recovered in any Court of Record; and that the Offenders againſt this Clauſe may not go unpuniſhed, the Juſtices of the ſeveral Pariſhes and Precincts are hereby obliged and impowered to give the Preſentment thereof in Charge to the ſeveral Conſtables upon Oath.

Perſons willingly killing any Negro, how to be puniſhed.

XXXVII. And be it further enacted by the Authority aforeſaid, That if any Perſon ſhall willingly, wantonly, or bloody-mindedly kill a Negro or Slave, he, ſhe, or they ſo offending, being thereof convicted by Verdict or Confeſſion in the Supreme Court of Judicature, ſhall be adjudged guilty of Felony for the firſt Offence, and have the Benefit of the Clergy; but the ſecond Offence ſhall be deemed Murder, and the Offender ſuffer for the ſaid Crime according to the Laws of *England*, Forfeiture of Lands and Tenements, Goods and Chattels only excepted.

Maſters of Boats, &c. to give Bond not to carry a Negro without a Ticket from his Owner, &c.

XXXVIII. And it is further enacted by the Authority aforeſaid, That all Maſters or Owners of Boats, Wherries, and Canoes, plying within the Harbour of *Port Royal*, ſhall give their own Bonds of Fifty Pounds Sterling, not to carry any Negroes without a Ticket from their Owners or Overſeers, (except as before excepted) all which ſaid Bonds are to be taken in the King's Name, and recorded in the Secretary's Office; and thereupon due Recovery to be made by all Perſons receiving Damage, in the ſame Manner as is already appointed in the Act requiring all Maſters of Ships and Veſſels to give Security in the Secretary's Office; and the Secretary is hereby impowered to take One Shilling as his Fee for each of the Bonds, and no more: And in caſe any ſuch Owners of Boats and Canoes ſhall not, within Forty Days from and after the Publication of this Act, give in their Bonds to the Secretary as aforeſaid, they ſhall forfeit Forty Shillings for every Week after the ſaid Forty Days are expired; to be recovered by Warrant from any Juſtice of the Peace, and to the Uſe and Benefit of ſuch Perſon who ſhall inform or complain of the ſame.

Juſtices, &c. to do their Duty, tho' Marſhal-law is in Force.

XXXIX. And be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Juſtice or Juſtices and Freeholders aforeſaid, in the ſeveral Clauſes in this Act mentioned, to do their ſeveral and reſpective Duties when Marſhal-law ſhall happen to be in Force, as they might or ought to have done in Time of Common Law; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Slaves ſhall not be free by becoming Chriſtians.

XL. And it is further enacted, That no Slave ſhall be free by becoming a Chriſtian; and for Payment of Debts and Legacies, all Slaves ſhall be deemed and

1696. and taken as all other Goods and Chattels are in the Hands of Executors or Adminiſtrators; and where other Goods and Chattels are not ſufficient to ſatisfy the ſaid Debts and Legacies, then ſo many Slaves as are neceſſary for the Payment of Debts and Legacies, ſhall be ſold; and the remaining * Slaves, after the Payment of the ſaid Debts and Legacies, ſhall be judged, deemed, and taken as Inheritance, and ſhall accordingly deſcend; and all Children of Slaves, born in the Poſſeſſion of Tenant for Life or Years, ſhall remain, or revert as the Parents do, or ſhould have done, to him or her, in Reverſion or Remainder, after Expiration of ſuch Term of Years after the Death of Tenant for Life or Tenant in Tail, after Poſſibility of Iſſue extinct: Provided nevertheleſs, That nothing in this Clauſe ſhall extend or be conſtrued to extend to Leaſes heretofore made; any thing in this or any other Act to the contrary in any wiſe notwithſtanding.

* Slaves made Inheritance by Act 39.

In what Caſes the Slaves are ſubject to the Payment of Debts, &c.

XLI. And be it further enacted, That all Slaves aſſigned for Dower, ſhall be liable, proportionably with thoſe belonging to any Heir or Heirs, to the Payment of Debts, but not of Legacies; any thing to the contrary notwithſtanding.

Proviſo.

XLII. Provided, That nothing in this Act contained ſhall extend to hinder any Perſon poſſeſſed in his own Right of any Slave or Slaves, to ſell, or, by Gift or otherwiſe, diſpoſe of ſuch Slave or Slaves as he ſhall think fit during his Lifetime; which Sale, Gift, or Diſpoſal, ſhall be a perpetual Bar to his Wife, from any Claim of Dower in ſuch Slave or Slaves.

Legal Purchaſes of Slaves confirmed.

XLIII. And be it further enacted by the Authority aforeſaid, That all Purchaſes heretofore made of any Slave or Slaves from any Perſons lawfully authoriſed to diſpoſe of and ſell the ſame for good and valuable Conſideration, are hereby declared to be as good and effectual, to all Intents and Purpoſes, as if the ſame had been by Deed in Writing; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Books to be kept, wherein Entries ſhall be made of Slaves bought and ſold, &c.

XLIV. And to prevent Diſputes that may ariſe for the future about the Titles of or to any Slave or Slaves, be it enacted, That the Clerks of the Peace, or Clerk of the Veſtry where no Clerks of the Peace are, of the ſeveral and reſpective Pariſhes and Precincts within this Iſland, ſhall keep a diſtinct Book, in which Entries ſhall be made of all Slaves ſold and diſpoſed of from one Party to another; in every of which Entries ſhall be expreſſed the Time of the Sale made, with the Names of the Vendor and Vendee, the Name and Mark of the Slave or Slaves, with the Conſideration for which ſold; which ſaid Entry, if the Seller is lawfully authoriſed to ſell or diſpoſe of ſuch Slave or Slaves, ſhall be as good and valid to ratify and confirm the ſaid Sale or Sales, as if the ſame had been by Deed in Writing under Hand and Seal, and ſhall be held, deemed, and adjudged to be a ſufficient Record and Evidence in any Court of Record within this Iſland; and if by any Perſon razed or imbeziled, the Perſon ſo offending ſhall ſuffer ſuch Puniſhment as the Law hath provided againſt ſuch as raze and imbezil Records; and for every ſuch Entry the Clerk ſhall receive, if but one Negro, Seven Pence Halfpeny; if above, Fifteen Pence, and no more: And if any Buyer ſhall fail or neglect to make Entry with the Clerk, as aforeſaid, he ſhall forfeit Forty Shillings for every ſuch Offence: And if the Clerk ſhall refuſe or neglect to make ſuch Entry, he ſhall forfeit Ten Pounds for every ſuch Offence to the Party injured; to be recovered by Action of Debt in any Court of Record within this Iſland, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed. Provided nevertheleſs, That this Clauſe, or any thing therein contained, ſhall not be conſtrued to extend to oblige any Perſon or Perſons to make ſuch Entry of Slaves at their firſt Importation into this Iſland; any thing in the above Clauſe to the contrary notwithſtanding.

Slaves to be inſtructed in the Chriſtian Religion, &c.

XLV. And be it enacted by the Authority aforeſaid, That all Maſters and Miſtreſſes, Owners, or, in their Abſence, Overſeers or Slaves, ſhall, as much as in them lies, endeavour the Inſtruction of their Slaves in the Principles of the Chriſtian Religion, whereby to facilitate their Converſion; and ſhall do their utmoſt Endeavour to fit them for Baptiſm; and, as ſoon as conveniently they can, ſhall cauſe to be baptized all ſuch as they can make ſenſible of a Deity, and the Chriſtian Faith.

XLVI. And

1696.

XLVI. And be it further enacted by the Authority aforeſaid, That the Juſtices within the ſeveral and reſpective Pariſhes and Precincts of this Iſland ſhall, at the firſt Seſſions in every Year, limit and appoint the Number of Holy-days that ſhall be given to Slaves at the uſual Feſtivals of *Chriſtmas*, *Eaſter*, and *Whitſuntide*; any thing to the contrary notwithſtanding.

Juſtices to appoint them what Holy-days they ſhall keep.

XLVII. And be it further enacted, That the Juſtices within their ſeveral and reſpective Pariſhes and Precincts within this Iſland, ſhall cauſe this Act to be publiſhed every firſt Seſſions in the Year, on Penalty of Ten Pounds, to be paid by the ſaid Juſtices in caſe of Neglect or Refuſal; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

This Act to be publiſhed once a Year.

XLVIII. And it is further enacted by the Authority aforeſaid, That all Penalties mentioned in this Act, and not declared where they ſhall be recovered, or how diſpoſed of, not exceeding Forty Shillings, ſhall be recovered by Warrant from any Juſtice of the Peace: And all Penalties exceeding Forty Shillings, ſhall be recovered by Action of Debt, Bill, Plaint, or Information in any Court of Record within this Iſland; one Moiety or Half-part of all ſuch Forfeitures ſhall be to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Moiety or Half-part to the Informer, or him or them that ſhall ſue for the ſame.

Penalties incurred by this Act, how to be recovered.

XLIX. And be it further enacted by the Authority aforeſaid, That one Act, entituled, *An Act for better ordering of Slaves*, made at a Seſſions held by Prorogation the firſt Day of *September*, in the Twenty-fifth Year of the Reign of King *Charles* the Second; as alſo one other Act, entituled, *An Act for the better Government of Slaves*, made at an Aſſembly convened at St. *Jago de la Vega*, the Twentieth Day of *July*, in the Fourth Year of the late King *James* the Second; both which ſaid Acts, and every Clauſe and Clauſes, Thing and Things therein contained, are hereby repealed, annihilated, and made void to all Intents and Purpoſes whatſoever; any thing to the contrary notwithſtanding.

Repeal of two former Acts.

An Act for confirming and ſecuring Titles to Eſtates.

1698.

Act 39.

WHEREAS by the late dreadful Earthquake, and later Deſcent of the *French* Enemy upon this his Majeſty's Iſland, ſome of the Records have been totally loſt, ſome deſtroyed and ſpoiled, and many Writings, Evidences, and Conveyances, belonging to ſeveral of the Inhabitants, either burnt, ſunk, or deſtroyed, or otherwiſe may be found deficient; whereby it becomes difficult, if not impoſſible, juſtly to determine each Perſon's Right and Title, which hath already occaſioned many troubleſome Law-ſuits, and like to procure many more; and, if not timely prevented by ſome good Law, may tend to the utter Ruin of many of his Majeſty's good Subjects in this Iſland: Be it enacted and ordained by his Majeſty's Lieutenant-Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That all preſent Poſſeſſors of Lands, Tenements, Hereditaments, or Negroes, who have been Five Years in quiet and peaceable Poſſeſſion, without Claim or Interruption, or ſhall remain quietly and peaceably poſſeſſed without Claim or Interruption for the Space of Five Years from the Time of ſuch Poſſeſſion, ſhall for ever hereafter hold the ſame as an Eſtate of Inheritance againſt all Perſons whatſoever that can or may pretend to claim any Eſtate or Intereſt in the ſaid Lands, Tenements, Hereditaments, or Negroes.

Perſons having quiet Poſſeſſion of an Eſtate for five Years, to hold it as Eſtate of Inheritance.

II. And that in all Actions concerning Titles of Lands, Tenements, Hereditaments, or Negroes, it ſhall be a good Plea in bar in ſuch Action, for the Tenant or Defendant to alledge, that he, ſhe, or they, his, her, or their Anceſtors or Predeceſſors, whoſe Eſtate he, ſhe, or they poſſeſs, have or hath been in quiet and peaceable Poſſeſſion of ſuch Lands, Tenements, Hereditaments, or Negroes in queſtion, for and during the Space of Five Years before the paſſing of this Act; or that now being in ſuch Poſſeſſion, ſhall ſo remain and continue for the Space of Five Years from the Time of ſuch Poſſeſſion; and this Plea entered ſhall bar the Plaintiff or Defendant, unleſs he can diſprove the ſame, or

and may plead ſuch Poſſeſſion in bar of all Actions.

Exception.

1698. make it appear that the ſaid Five Years Poſſeſſion was during the Time that the Plaintiff or Defendant was under the Age of One and twenty Years, a Woman under Coverture, or Perſon of unſound Memory; or that the Defendant or Tenant held the ſame as Tenant by Leaſe, or Attorney, Guardian, or by virtue of ſome particular Uſe, Truſt, Mortgage, Courteſy, Dower for Years, Life, or in Tail, which, at or before the Time of that Action brought, was fully expired.

Proviſo. III. Provided, That ſuch Perſon under the Age of Twenty one Years, Woman under Coverture, or Perſon of unſound Memory, ſhall bring their Action for any ſuch Eſtate as aforeſaid within Three Years after ſuch Perſon ſhall attain the Age of One and twenty Years, or Woman under Coverture ſhall become ſole, or Perſons of unſound Memory ſhall be *Compos Mentis*; and if any of the Perſons as aforeſaid ſhall not commence his, her, or their Action within the ſaid Three Years, or any Perſon or Perſons being abſent from this Iſland at the Time of the paſſing of this Act, ſhall not within the Space of Three Years next enſuing, commence his, her, or their Action, every ſuch Perſon ſhall be, and are hereby for ever debarred from bringing or commencing any ſuch Suit: But if any ſuch Perſon or Perſons, as aforeſaid, ſhall bring any manner of Action whatſoever after the Times aforeſaid limited in this Act, it ſhall and may be lawful for the Defendant or Tenant to give this Act in Evidence, to bar any ſuch Action; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Mortgaged Eſtates excepted. IV. Provided, That nothing in this Act ſhall extend to any Eſtate under Mortgage; but that every ſuch Eſtate ſhall be and remain, to all Intents and Purpoſes, as before the making of this Act; any thing herein contained to the contrary in any wiſe notwithſtanding.

1699. ## *An Act for raiſing Parties to ſuppreſs rebellious and runaway Negroes.*

Act 40. WHEREAS the runaway and rebellious Negroes in this Iſland have of late murdered ſeveral of the Inhabitants thereof, as well white Perſons as Negroes, and have plundered and deſtroyed many of the ſmall and Out-ſettlements, and do ſtill in great Numbers continue doing what Robberies and other Miſchiefs they are able, and daily increaſe their Numbers, by other Negroes running away and joining with them, which may be of fatal Conſequence, if not timely ſuppreſſed, by taking ſome ſpeedy Courſe to reduce them; be it therefore enacted by his Majeſty's Lieutenant-Governor, Council, and Aſſembly, and it is

Officers impowered to purſue runaway Negroes. hereby enacted by the Authority of the ſame, That it ſhall and may be lawful for the Colonel of every Regiment or Pariſh in this Iſland, or in his Abſence the next Commanding-Officer of the ſaid Regiment or Pariſh, on Notice to him given of any conſiderable Number of Negroes run away or in Rebellion, to raiſe and ſend out ſuch Party or Parties of Men, as he ſhall think convenient to reduce ſuch runaway or rebellious Negroes.

Officers and Soldiers Pay. II. And for the better Encouragement of ſuch Men to go out and ſuppreſs any runaway or rebellious Negroes, as aforeſaid, it is hereby enacted, That the Commander of every ſuch Party ſhall have and receive Six Pounds *per* Month, the Serjeant Three Pounds *per* Month, and the reſt of the Party each Fifty Shillings *per* Month, beſides all Plunder and other Encouragement given them in an Act, entituled, *An Act for the better Order and Government of Slaves:* Which Party ſhall uſe their utmoſt Endeavours to purſue, take, and deſtroy all ſuch Negroes, not only within the Limits and Bounds of their own Precincts, but alſo in any other adjoining Precinct, until any One of the Commiſſion-Officers of that Precinct where the Party then is, ſhall have Notice from the Commander of the ſaid Party to raiſe another Party to follow the ſaid Rebels or Runaways, nor preſume to return to their Habitations, until they have either reduced the ſaid runaway or rebellious Negroes, or that the other Party be raiſed, or that they have been out in the Purſuit of them One whole Month, if not ſooner recalled by their Commanding

Commanding-Officer; and that then, on the Return of the ſaid Party or Parties, their Colonel, or next Commanding-Officer, as aforeſaid, ſhall give a Certificate under his Hand what is due to each Perſon belonging to the ſaid Party; which Certificate appearing before the Governor or Commander in Chief of this Iſland for the Time being, the ſaid Parties ſhall forthwith receive out of the Revenue, by an Order from the Governor and Council, their full Pay mentioned in the Certificate aforeſaid: And whatſoever Officer or private Sentinel ſhall refuſe the lawful Command of his Colonel or next Commanding-Officer, as aforeſaid, by not going out in the ſaid Party, or procuring an able Man well armed in his Stead to perform his Duty, the ſaid Colonel, or next Commanding-Officer, ſhall forthwith commit the ſaid Officer or private Sentinel into Cuſtody of the Marſhal of the Regiment, in order to be tried and puniſhed as is provided againſt ſuch as diſobey their ſuperior Officers. 1699.

III. And whereas a Party was formerly commanded out by Col. *Modyford Freeman*, under the Command of *James Hammond*, with a Promiſe to be paid, as was then agreed on by the ſaid Col. *Freeman*, but have not yet received their Pay; be it therefore enacted by the Authority aforeſaid, That Lieutenant Colonel *Nicholas Richardſon* is hereby impowered to account with the Men belonging to the ſaid Party, and certify to the Governor what Monies remain due to them; which Party, after having accounted as aforeſaid, ſhall forthwith be paid out of the Treaſury of this Iſland, by an Order from the Governor and Council to the Receiver-general. Clauſe appointing Satisfaction to be made *James Hammond*, &c.

IV. And whereas ſeveral Perſons were appointed by an Act, entituled, *An Act for the Encouragement and Freedom of Servants and Slaves, which have done, or ſhall do any remarkable Service againſt the* French *during this preſent War*; to and by virtue of that Act, *Richard Lloyd*, *James Baniſter*, *Thomas Bindlows*, and *John Walters*, Eſqs. Four of the Perſons nominated in that Act, did under their Hands and Seals ſet free a Negroe Man, named *Cornelius*, belonging to *John Lewis* of *Port Royal*, Merchant, which they valued to be worth Thirty and five Pounds: And by virtue of the ſame Act, *Richard Lloyd*, *John Walters*, and *Thomas Bindlows*, Eſqs. Three of the Perſons nominated in the ſaid Act, did under their Hands and Seals ſet free a Negroe Man, named *Sawcy*, belonging to the Eſtate of *Jonathan Aſhurſt*, deceaſed, which they valued to be worth Thirty Pounds: And whereas ſeveral other Perſons, Inhabitants of this Iſland, have had ſeveral Negroes freed by virtue of the aforeſaid Act, and have ſince been paid by virtue of one other Act, entituled, *An Act for raiſing the Sum of Eleven thouſand Pounds for paying the Debts contracted during the Deſcent of the* French, and what remained in the Receiver's Hands, raiſed by virtue of that Act, more than was paid away by the ſaid Receivers being appropriated to the Revenue: And the ſaid *John Lewis*, and the Eſtate of *Jonathan Aſhurſt* being yet unpaid for the ſaid Negroes, it is therefore enacted by the Authority aforeſaid, That the ſaid *John Lewis* receive Thirty and five Pounds, and the Eſtate of *Jonathan Aſhurſt* Thirty Pounds, current Money, out of the Treaſury of this Iſland, by an Order from the Governor and Council to the Receiver-general. Slaves diſcharged for Services done againſt the *French*, to be paid for out of the Treaſury.

An Act for uniting the Precincts of St. Andrew *and* Kingſton.

Act 41.

Whereas in one Act of this Iſland, entituled, *An Act for making* Kingſton *a Pariſh*, amongſt many other Powers, Authorities, Privileges, Rights, Immunities, and Cuſtoms granted thereunto, it was enacted and ordained, That there ſhould be erected, eſtabliſhed, and held in the ſaid Town a Quarter-ſeſſions for the Conſervation of the Peace, and a Court of Common-Pleas, with the ſaid Power and Authority that is, or hath been lately held or exerciſed at *Port Royal*: And whereas the ſaid Town and Pariſh of *Kingston*, having lain under great Diſadvantages and ſeveral Diſcouragements, and the Trade being much decayed, hath induced many of the Inhabitants to remove from and leave the ſame, ſo that it is become difficult for the ſaid Inhabitants, by reaſon of the Death of ſome, and the Removal or Reſignation of others in ſeveral Commiſſions, to keep and hold the Quarter-ſeſſions and Court of Common-Pleas, as aforeſaid; be it therefore

1699. therefore enacted by his Majeſty's Lieutenant-Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That, for the Eaſe and Benefit of the ſaid Pariſh of *Kingston*, from and after the firſt Day of *July*, in this preſent Year One thouſand ſix hundred ninety-nine, the Precinct of St. *Andrew* and the Precinct of *Kingston* ſhall be, and are hereby united and made one Precinct: And for the holding and keeping the Quarter-ſeſſions for the Conſervation of the Peace and Court of Common-Pleas, all Perſons in Commiſſion, as aforeſaid, in either of the ſaid Pariſhes, are hereby impowered and required to aſſociate and act within the Limits of either or both the ſaid Pariſhes, as fully and amply, to all Intents and Purpoſes whatſoever, as if both the ſaid Pariſhes had been particularly named and expreſſed in their ſeveral Commiſſions.

The Pariſhes of St. *Andrew* and *Kingſton* united,

II. And it is further enacted by the Authority aforeſaid, That the Quarter-ſeſſions and Court of Common-Pleas for the Precincts of St. *Andrew* and *Kingſton*, ſhall be held and kept alternately at ſuch Time and Times as hath formerly been uſed in the Pariſh of St. *Andrew*, one Time at the Pariſh of St. *Andrew* and another Time at *Kingston*, ſucceſſively; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

and the Quarter-ſeſſions, &c. to be held there alternately.

An Act to oblige the Pariſhes of St. Catharine *and* St. Andrew *to build a Bridge over* Rio Cobre.

Act 42. WHEREAS the difficult Paſſage and unſecure Road between the Pariſhes of St. *Andrew* and St. *Catharine* hath been, and is a great Diſadvantage, not only to the Inhabitants of the ſaid Pariſhes, but to the Iſland in general; be it therefore enacted by his Majeſty's Lieutenant Governor, Council, and Aſſembly, and it is hereby enacted by the Authority of the ſame, That within one Month after the paſſing of this Act, the Juſtices of the Pariſhes of St. *Andrew* and St. *Catherine* ſhall view that Part of the River where the Horſe-ferry now is, dividing the aforeſaid Pariſhes and the Roads of each Side the ſaid River as far in St. *Andrew*'s as the Plantation commonly called *Water-houſe*, and in St. *Catharine*'s as far as the Plantation commonly called *Cow Park*; and within Three Months after the paſſing of this Act, they the ſaid Juſtices and Veſtrymen ſhall lay ſuch a Tax on each reſpective Pariſh, and raiſe and levy ſo much Money as ſhall be ſufficient for the building a good, ſtrong, and ſecure Bridge over that Part of the ſaid River where the Horſe-ferry now is, or over any Part where the ſaid Juſtices ſhall think moſt convenient; or for the making ſuch a Road on each Side of the ſaid River as any Cart, Wain, Waggon, Coach, or other Carriage may meet and paſs by each other without Lett or Damage, which ſhall be done at the proper Coſts and Charges of each reſpective Pariſh.

A Bridge to be built by the Pariſhes of St. *Andrew* and St. *Catharine*, &c.

II. And be it further enacted by the Authority aforeſaid, That the Bridge ſo to be built ſhall be at leaſt twelve Foot wide, and railed on both Sides, and ſhall be done at the common and equal Charge of the aforeſaid two Pariſhes within the Space of Twelve Months after the firſt Day of *July*, in this preſent Year of our Lord One thouſand ſix hundred ninety-nine; and ſhall always be by the ſaid Pariſhes maintained and kept in Repair, over which all Perſons ſhall paſs free: And if it ſhall happen, that the Bridge, when built, ſhall be broke down, fall, or be carried away by any Flood, or otherwiſe, that then the ſaid Juſtices and Veſtrymen for the Time being of each of the aforeſaid Pariſhes, ſhall lay a Tax, and raiſe ſo much Money as ſhall build another Bridge of the ſame Strength and Dimenſions.

Its Dimenſions.

III. And be it enacted by the Authority aforeſaid, That whatſoever Juſtice or Veſtryman of the Pariſhes aforeſaid ſhall neglect his or their Duty herein, he or they neglecting ſhall forfeit for each Offence reſpectively the Sum of Fifty Pounds to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this his Majeſty's Iſland, and the contingent Charges thereof; to be recovered in the Supreme Court of Judicature, by Bill, Plaint or Information, wherein no Eſſoin, Protection, or Wager of Law, or *Non vult ulterius proſequi* ſhall be allowed; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Penalty on Juſtice, &c. neglecting his Duty.

IV.

IV. AND be it further enacted by the Authority aforeſaid, That the Maſters or Owners of the Ferryboat ſhall and are hereby obliged to maintain and keep the ſaid Ferryboat in good and ſufficient Repair, and receive ſuch Toll and Duty as is directed and appointed in one Act of this Iſland, entituled, *An Act for maintaining the Ferry between St.* Catharine's *and St.* Andrew's, until ſuch Time as the aforeſaid Bridge ſhall be built and compleated. 1699. and on Maſter of Ferryboat not keeping his Boat in Repair.

V. PROVIDED nevertheleſs, That no Duty or Toll ſhall be paid for paſſing over the ſaid Ferry by any Perſon or Perſons employed in or about the building the ſaid Bridge, or for the conveying or carrying over any Materials belonging to the ſame. Proviſo.

VI. AND if the ſaid Maſters or Owners of the ſaid Ferryboat ſhall refuſe or neglect to do and perform what they are hereby required, they ſhall reſpectively forfeit the Sum of One Hundred Pounds; to be recovered and applied as aforeſaid; any Law, Cuſtom or Uſage to the contrary in any wiſe notwithſtanding. 100 *l.* Penalty on the Maſter of Ferryboat neglecting his Duty.

An Act to make ſundry Perſons a Body Politick, and Directors for the Bath of St. Thomas *the Apoſtle.*

ACT 43.

WHEREAS there has been lately diſcovered in the Land of Col. *Edward Stanton*, in the Pariſh of St. *Thomas in the Eaſt*, ſeveral Springs of Mineral Water, whereby many great and wonderful Cures have been effected on divers Perſons; the which would be of extraordinary Benefit to this Iſland, were the Roads and Paths thereunto made paſſable for ſick and infirm People, and Proviſion made of warm and convenient Apartments, and other Neceſſaries; which, by reaſon of the ragged Mountains, cannot be done without great Charge and Expence, nor maintained and ſupported without a certain Fund of Money, and good Order and Government: And whereas the Proprietor, Col. *Edward Stanton*, has declared his Willingneſs to transfer his Right to the ſaid Springs and Lands adjoining for the Publick Good; We therefore, the Aſſembly of this your Majeſty's Iſland, humbly beſeech your Majeſty that it may be enacted, and be it enacted by your Majeſty's Lieutenant-Governor, Council, and Aſſembly, and it is hereby enacted by the Authority of the ſame, That for the purchaſing of the ſaid Springs and Lands adjoining, and for making a good Road to the ſaid Springs, and for erecting ſuch Buildings as ſhall be convenient for poor, ſick, and infirm People, and other Neceſſaries, the Sum of One thouſand two hundred and fifty Pounds, ariſing by virtue of one Act, entituled, *An Act for raiſing an additional Duty and Impoſt*, made this preſent Aſſembly, be paid by the Receiver-general into the Hands of the Perſons hereafter nominated and appointed, or into the Hands of ſuch Perſon or Perſons whom they, or the major Part of them, ſhall appoint. 1250 *l.* to be paid to the Perſons hereinnamed, for purchaſing the Springs, *&c.*

II. AND be it further enacted by the Authority aforeſaid, That the Right Hon. Sir *William Beeſton*, your Majeſty's Lieutenant-Governor and Commander in Chief of *Jamaica*, and ſuch as after him ſhall ſucceed in the ſaid Office of Governor, or Commander in Chief of *Jamaica*, for and during the Time they ſhall ſo continue in the ſaid Office, *Peter Beckford* Eſq; one of the Privy Council of the ſaid Iſland, *Peter Heywood* Eſq; one other of the Privy Council of this Iſland, *Nicholas Laws* Eſq; one other of the Privy Council, and Chief Juſtice of this Iſland, and ſuch as ſhall ſucceeed him in the Place of Chief Juſtice of this Iſland, during the Time they ſhall continue Chief Juſtice; *Charles Knights* Eſq; *Henry Low* Eſq; *Thomas Ayſcough* Eſq; *Richard Dawkins* Eſq; *Charles Chaplin* Eſq; *James Baniſter* Eſq; *Joſiah Heathcote* Eſq; all of the Privy Council of this Iſland, and all others who ſhall hereafter be of the Privy Council of this your Majeſty's Iſland of *Jamaica*, during the Time they ſhall continue in the ſame Dignity; *Nicholas Richardſon* Eſq; *John Clark* Eſq; *Edward Turner* Eſq; *William Harris* Eſq; and *Arthur Meautis* Eſq; Juſtices of the Peace of the Pariſhes of St. *Thomas* and St. *David* in this Iſland, and ſuch as hereafter ſhall be Juſtices of the *Quorum* in the ſaid Pariſhes of St. *Thomas* and St. *David*, or either of them, during the Time they ſhall continue Juſtices, ſhall and may be a Body Politick and Corporate; Which Perſons are hereby incorporated.

1699. rate; and ſhall for ever hereafter ſtand and be incorporated, eſtabliſhed, and founded, in Name and in Deed, a Body Politick and Corporate, to have Continuance and Succeſſion for ever by the Name of *The Directors of the Bath of St.* Thomas *the Apoſtle*, and by that Name to have perpetual Succeſſion for ever: And the ſaid Directors, and their Succeſſors for the Time being, ſhall and may have lawful Power, Licence, and Authority to purchaſe and hold to them and their Succeſſors all that Parcel of Land, containing by Eſtimation Eleven Hundred and Thirty Acres, wherein the ſame Springs are; and that the ſaid Springs, and the Eleven Hundred and Thirty Acres of Land, when and as ſoon as the ſame ſhall be purchaſed by them, ſhall be called and known by the Name of *The Bath of St.* Thomas *the Apoſtle*; and that the Springs and Lands, and all Edifices to be thereupon built, ſhall be and remain unto the ſaid Directors for ever, for the Uſe and Benefit as well of all your Majeſty's loving Subjects as Foreigners.

and may ſue and be ſued in the Name of *The Directors of the Bath of St.* Thomas *the Apoſtle*,

III. And be it further enacted by the Authority aforeſaid, That the ſaid Directors for the Time being, and their Succeſſors, ſhall have full Power and lawful Authority by the aforeſaid Name of *The Directors of the Bath of St.* Thomas *the Apoſtle*, to ſue and be ſued, implead and to be impleaded, to anſwer and to be anſwered unto, in all Manner of Courts and Places that now are and hereafter ſhall be within this Iſland of *Jamaica*, in all Manner of Suits whatſoever, and of what Nature and Kind ſoever ſuch Suits and Actions be or ſhall be, in the ſame ample Manner and Form, to all Intents, Conſtructions, and Purpoſes, as any other Perſon or Perſons, Bodies Politick and Corporate in the Realm of *England*, being able Perſons in Law, may do.

and to farm let any of their Eſtate,

IV. And be it further enacted by the Authority aforeſaid, That the ſaid Directors, and their Succeſſors for the Time being, ſhall and may have full Power and Authority to demiſe, leaſe, or to farm let, any Part or Parcel of the ſaid Lands or Houſes hereafter to be built.

and uſe a CommonSeal,

V. And be it further enacted by the Authority aforeſaid, That the ſaid Directors, and their Succeſſors for the Time being, may have and uſe a Common Seal, for the making, granting, and demiſing of ſuch their Demiſes and Leaſes, and for the doing all and every other Thing touching or in any wiſe concerning the ſaid Incorporation: And alſo, that the ſaid Directors, or the major Part of them, ſhall and may have full Power and Authority to change and alter the ſaid Seal at their Pleaſure.

and appoint Officers requiſite for the ſaid Corporation,

VI. And be it further enacted by the Authority aforeſaid, That the ſaid Directors, and their Succeſſors, or the moſt Part of them, ſhall and may have full Power and Authority under the ſaid Common Seal to chooſe, nominate, and appoint ſuch and as many Officers as they, or the moſt Part of them, ſhall judge neceſſary and requiſite for the ſaid Corporation; and to pay and allow them ſuch reaſonable Penſions, Fees, or Salaries, as to them ſhall ſeem meet; and the ſame, or any of them, upon any Neglect or Miſdemeanor, to diſplace and remove; and upon the Death, Reſignation, Deprivation, or Removal of them, or any of them, others in their Place and Stead to appoint and put; and to make, ordain, ſet down, and preſcribe ſuch Rules, Laws, and Ordinances, for the Order, Rule, and Government of the ſaid Bath of St. *Thomas* the Apoſtle, and of the Officers belonging to the ſame; and that the ſame Orders, Rules, Statutes, and Ordinances, ſo by the ſaid Directors, and their Succeſſors for the Time being, or the moſt Part of them, made, ſet down, and preſcribed, as aforeſaid, ſhall be and ſtand in full Power and Strength in Law (the ſame not being repugnant or contrary to your Majeſty's Prerogative Royal, nor to the Laws and Statutes of your Majeſty's Realm of *England*, or of this your Iſland of *Jamaica*, nor to any Eccleſiaſtical Canons or Conſtitutions of the Church of *England*, then in Force and Uſe.)

and erect a Market within the Bounds of the ſaid Bath,

VII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Directors, or their Succeſſors for the Time being, and they have hereby full Licence, Power, and Authority to erect and eſtabliſh, within the Bounds and Limits of the Bath of St. *Thomas* the Apoſtle, a Market for the killing, ſelling, and vending of Neat and other Cattle and Stock, and all other Sorts of Proviſions, to be held upon ſuch Days and Times as the aforeſaid Directors, and their Succeſſors for the Time being, or the major Part of them,

under

under their Common Seal, ſhall appoint; with the like full Power and Authority for the ſaid Directors, and their Succeſſors for the Time being, to order and appoint a Clerk of the ſaid Market, with reaſonable Fees and Allowances, not exceeding what by Law ſhall be eſtabliſhed in this Iſland in other Markets; and the ſaid Clerk for his Miſdemeanor or Neglect, to diſplace and remove; and in caſe of his Death, Reſignation, Deprivation, or Removal, others in his Stead to appoint and put. 1699.

and grant Licences for retailing Strong Liquors.

VIII. AND alſo to grant Licence or Licences to ſuch Perſon or Perſons as they ſhall think fit, to ſell and retail Strong Liquors, without any Fee or Charge for the ſame; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Lands, &c. to be let, but at Will.

IX. AND be it further enacted by the Authority aforeſaid, That none of the Lands within the Limits of the Bath of St. *Thomas* the Apoſtle, nor any Part thereof, nor any Houſes or Buildings thereon, hereafter to be erected or built, ſhall be ſold, aliened, or otherwiſe diſpoſed of than at Will, or for Term of Years, not exceeding Twenty-one Years; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Application of Monies ariſing by making Leaſes of their Eſtate.

X. AND be it further enacted by the Authority aforeſaid, That all and every Sum and Sums of Money that ſhall ariſe by virtue of any Leaſe and Leaſes of the ſaid One thouſand one hundred and thirty Acres of Land, or any Part or Parcel thereof, which ſhall be demiſed and granted by the ſaid Directors, or their Succeſſors for the Time being, ſhall be employed or laid out, either towards increaſing the Buildings, or mending the Roads to the Bath, and providing Neceſſaries and Conveniencies for ſick and poor People, as the ſaid Directors, or their Succeſſors ſhall think fit; and to no other Uſe, Intent, or Purpoſe whatſoever.

An Act appointing Scavengers, and regulating Wharfage at Port Royal.

ACT 44.

Juſtices and Veſtry to appoint Two Scavengers for *Port-Royal*.

WHEREAS the Town and Pariſh of *Port Royal* hath not Land ſufficient to elect Surveyors of the Highways, according to an Act, entituled, *An Act for the Highways*, made in the Thirty-ſecond Year of his late Majeſty King *Charles* the Second, whereby the ſaid Town cannot be kept ſo clean and healthful as it ought or might be; be it therefore enacted and ordained by his Majeſty's Lieutenant-Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That it ſhall and may be lawful for the Juſtices and Veſtry of *Port Royal* aforeſaid, who alſo are hereby required and obliged every Year when they ſhall firſt meet to lay their Pariſh-Tax, to elect and chooſe Two or more Inhabitants of *Port Royal* to be Scavengers in the ſaid Town; and them to be impowered by the Juſtices of the ſaid Place, to employ Rakers for the cleanſing of the Streets, Lanes, Alleys, and publick Places of the ſaid Town, of the Duſt, Filth, and other Annoyances therein, and at ſuch convenient Time and Times as ſhall be by the ſaid Juſtices aſſigned, to be carried away and removed to ſuch Place or Places as to the ſaid Juſtices ſhall ſeem meet, for the Health of the People, and keeping ſweet and clean the ſaid Place; and to pay the Rakers by the Hands of the Church-wardens out of the Stock of the ſaid Pariſh; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Penalty on Officers neglecting their Duty.

II. AND if any Juſtice neglect his Duty, touching the Premiſſes, or any Part thereof, he ſhall forfeit Ten Pounds; and every Veſtryman, Scavenger, or Clerk of the Veſtry, who ſhall neglect his or their Duty, where no Penalty is before ſet, ſhall reſpectively forfeit Five Pounds for each Offence.

All Goods landed at publick Wharfs to be fairly entered, &c.

III. AND be it further enacted by the Authority aforeſaid, That all Perſons keeping publick Wharfs on *Port Royal* aforeſaid, ſhall be obliged to keep a Book, wherein he, ſhe, or they ſhall fairly enter the Marks and Numbers of all ſuch Goods as ſhall be landed on his, her, or their Wharf or Wharfs, and alſo the Names of the Perſon or Perſons by whom landed, and the Name or Names of the Veſſel or Veſſels out of which the ſaid Goods ſhall be taken, and alſo to take a Receipt of the Perſon or Perſons to whom the ſaid Goods ſhall be delivered.

IV. AND

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What ſhall be deemed a publick Wharf.

IV. And if any Owner or Owners of Wharf or Wharfs ſhall receive Payment for any Goods landed on their ſaid Wharf or Wharfs, or for any Veſſel lying and undelivering, or lading thereat, the ſame Wharf or Wharfs ſhall be deemed and held to be a publick Wharf.

Penalty on Wharfinger not keeping a Book of Entry.

V. And whatſoever Wharfinger ſhall neglect to keep ſuch a Book, and to make ſuch Entries, as aforeſaid, ſhall forfeit for every ſuch Offence the Sum of Ten Pounds; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Owners of Wharfs may receive the following Rates for all Goods landed there.

VI. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Owner or Owners of Wharf or Wharfs, as aforeſaid, from and after the Firſt Day of *Auguſt*, in this preſent Year One thouſand ſix hundred ninety nine, to demand and receive of any Perſon or Perſons whatſoever, landing any Goods on his, her, or their Wharfs, the Rates hereafter mentioned, *viz.* For each Hogſhead of Sugar, or other Goods of the Product of this Country, the Sum of One Shilling and Six-Pence, for Wharfage, Landing, covering, weighing, and ſhipping off; and for Indico, Cotton, Piemento, and Ginger, in Bag or ſmall Caſk, *per* Hundred, Three Halfpence, for Landing, Wharfage, and Weighing; and the like Sum of Three Halfpence *per* Hundred for ſhipping off again; and for Wharfage and Weighing of each Ton of Logwood, and all other Woods for the Dyer's Uſe, the Sum of Fifteen Pence; and the like Sum of Fifteen Pence *per* every Ton for weighing and ſhipping off the ſame; and for each Ton of *European* Goods landed, or Goods from *North America*, or the Weſtern Iſlands, Two Shillings Six-Pence *per* Ton, *Jamaica* Tonnage; and the like Sum of Two Shillings Six-Pence *per* Ton for ſhipping off the ſame again; and for Cocoa, Sarſaparilla, and Jeſuits Bark, the Sum of Three Halfpence *per* Hundred Weight; and for Salt, a Halfpenny *per* Buſhel.

Wharfinger to provide Conveniencies for Goods againſt the Weather.

VII. And each Wharfinger is hereby obliged to keep a Crane, and Sheds, and Tarpaulins, for ſecuring of Goods landed upon their Wharf or Wharfs from the Weather, on Penalty of forfeiting the Sum of Forty Shillings for every Default, and be further liable to pay any Damage that ſhall be done to any Goods lying on their ſaid Wharf.

Clauſe for Relief of Perſons who ſuffered by the late dreadful Earthquake,

VII. And whereas many of the Inhabitants of *Port Royal* having Lands adjoining upon his Majeſty's Streets next the Harbour, ſunk in the late dreadful Earthquake; which ſaid Inhabitants are willing to fill up the ſaid Streets adjoining to the ſaid Land, provided they may enjoy the Benefit of the ſaid Streets for Wharfs, in Conſideration of the great Charge they will be at in filling the ſame, until ſuch Time as any other Perſon or Perſons that have Land on the other Side of the ſaid Streets ſhall fill up their reſpective Land, which will be of great Advantage to the Iſland in general; be it therefore enacted by the Authority aforeſaid, That any Perſon or Perſons filling up any Part of a Street as aforeſaid, ſhall enjoy, poſſeſs, and receive the Profit and Benefit thereof, as a Wharf, for the Term of Ten Years, or until ſuch Time as the Proprietor or Proprietors of the Land lying on the other Side of the ſaid Street ſhall fill up their ſaid Lands.

and to prevent certain Places being converted into Wharfs.

IX. And whereas there are ſeveral publick Streets, Lanes, and Alleys, the Ends of which are adjoining to the Harbour, and convenient for the Water, Canoes, Boats, and Wherries to unload at; no Perſon or Perſons whatſoever ſhall be ſuffered to wharf or fill up the Ends of the ſaid Lanes, Streets or Alleys towards the Harbour, to prevent or hinder the ſaid Canoes, Boats or Wherries from landing or taking on board their Water or other Freight; any Thing in this Law, or any other, to the contrary in any wiſe notwithſtanding.

Diſpoſition of Forfeitures.

X. And be it further enacted by the Authority aforeſaid, That the ſeveral Forfeitures and Penalties in this Act mentioned, ſhall be one Moiety to the Uſe of the Pariſh of *Port Royal*, and the other Moiety to the Informer; to be recovered, if not exceeding Forty Shillings, before any Juſtice of the Peace, and if above Forty Shillings, by Bill, Plaint, or Information in any Court of Record within this Iſland, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

An

An Act for dividing the Pariſh of St. Elizabeth *into Two diſtinct Pariſhes, for the Eaſe of the Inhabitants.* 1703.

ACT 45.

WHEREAS the Pariſh of St. *Elizabeth* is of ſuch large Extent, that the Inhabitants, without long Time of Warning, extraordinary Fatigue, Loſs of Time, and great Expence, cannot convene and appear on publick Occaſions, either at Church, Election of Members to ſerve as Repreſentatives in Aſſemblies, chooſing Church-wardens or Veſtrymen, laying on Taxes, appointing Surveyors, and many other Privileges, as Subjects of *England*, are thereby loſt: And whereas the Quantity of Land, Number of Settlements, and Inhabitants contained in the ſaid Pariſh, are ſufficient for Two ſeveral and diſtinct Pariſhes; Be it therefore enacted and ordained by her Majeſty's Lieutenant-Governor, Council and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That the ſaid Pariſh of St. *Elizabeth* be divided, and is hereby divided into Two ſeparate and diſtinct Pariſhes, at a Place commonly called and known by the Name of *Scott*'s *Cove*, in *Syrranam Quarters*, from thence due North-eaſt, ſhall divide the ſaid Two Pariſhes; and from the Eaſtward of the ſaid Diviſion to the Pariſh of *Clarendon* and *Vere*, ſhall be a diſtinct and ſeparate Pariſh, to be called and known by the Name of the Pariſh of St. *Elizabeth*; and to the Weſtward of the ſaid Dividing, as aforeſaid, to the South Bounds of the Pariſh of St. *James*, ſhall be a diſtinct and ſeparate Pariſh, and is hereby called and to be known by the Name of the Pariſh of *Weſtmoreland*; which ſaid Two Pariſhes ſhall be, and for ever hereafter taken and eſteemed, to all Intents and Purpoſes, Two diſtinct Pariſhes, ſeparate from each other, and be called and known by the Name of the Pariſhes of St. *Elizabeth* and *Weſtmoreland*, and have, uſe, exerciſe, and enjoy all and every the Powers, Authorities, Benefits, and Privileges, Rights, Immunities, and Cuſtoms, that all or any of the Pariſhes or Precincts within this Iſland have or ought to have, uſe, exerciſe, or enjoy of common Right, or by virtue of any general Act or Acts of this Country, as fully, amply, and effectually, as if they had been Two diſtinct and ſeparate Pariſhes or Precincts, and therein by Name expreſly mentioned and ſpecified; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

The Pariſh of St. *Elizabeth* divided into Two ſeparate and diſtinct Pariſhes.

II. AND whereas it may be ſuppoſed that the Pariſh of St. *Elizabeth*, before the ſeparating and dividing thereof, was indebted and in Arrear, in taxing, levying, and paying ſome publick Debt, or Sum of Money: And whereas there is already, before the dividing of the Pariſh, as aforeſaid, Money taxed, collected, or paid to the Church-wardens or Conſtables; therefore be it enacted and ordained by the Authority aforeſaid, That the Church-wardens which ſhall be next choſen for each of the Two ſeveral and reſpective Pariſhes, ſhall have and receive, ſue for, or recover ſuch Proportion of the Money already taxed, levied, or paid, as was taxed, levied, collected, or paid in or by the Inhabitants of the Pariſh of *Weſtmoreland* before they were divided; and that each of the ſaid Pariſhes ſhall raiſe Money according to the Proportion aforeſaid, for the Payment and diſcharging ſuch publick Debts as were due from the Pariſh of St. *Elizabeth* at the Time of the dividing the ſame into Two ſeparate and diſtinct Pariſhes; any Law, Cuſtom, or Uſage in any wiſe to the contrary notwithſtanding.

Church-wardens of each Pariſh to have Proportion of the Money taxed before the Pariſh was divided.

An Act to encourage the Importation of White Men.

ACT 46.

WHEREAS the importing of white Servants will very much conduce to the Security and Advantage of this your Majeſty's Iſland: And to the Intent that due Care may be taken, and Encouragement given to all Maſters and Owners of Ships or Veſſels, and others who ſhall import Servants hither, for the diſpoſing of and paying for the ſame, and defraying ſuch Charges as may or ſhall

1703. ariſe, accrue, or become due by this Act; we your Majeſty's moſt dutiful and loyal Subjects, the Aſſembly of this your Majeſty's Iſland of *Jamaica*, do moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by your Majeſty's Lieutenant Governor, Council, and Aſſembly, That a Sum of Money,

500 *l.* to be appropriated to the Uſes mentioned in this Act.

not exceeding Five hundred Pounds, being Part of a Fund ariſing by an Act, entituled, *An Act for raiſing an additional Duty and Impoſt*, or which hereafter ſhall ariſe by virtue of an Act, entituled, *An Act for raiſing and appropriating an additional Duty and Impoſt*, together with the ſeveral Sums herein after named, be, and is hereby appropriated for the Uſes within this Act mentioned.

Number of white Servants to be kept by Owners of Slaves,

II. And that every Maſter and Owner of Slaves may have their due Proportion of white Servant Men according to their Number of Slaves; that is to ſay, For their firſt ten Slaves, old and young, one white Servant Man; and for their firſt twenty Slaves, old and young, two white Servant Men; and one white Servant Man for every twenty Slaves after the firſt, to be reſident in the Plantation where ſuch Slaves are employed.

Neat Cattle, &c.

III. And all Perſons having, or that ſhall have Neat Cattle, Horſes, Mules, or Aſſinegoes, ſhall for the firſt Sixty have one white Servant Man; and one for every Hundred after the firſt Sixty, to be reſident where ſuch Stock are or ſhall be kept, under the Penalty of forfeiting Forty Shillings for every Refuſal of ſuch Servant as ſhall be placed by the Collector or Receiver-general, in purſuance of this Act.

and Boats, &c.

IV. And all Boats, Wherries, and Canoes, that ply within the Harbour of *Kingſton*, *Paſſage Fort*, or *Port Charles*, ſhall, in every ſuch Boat, Wherry, or Canoe, be obliged to keep one white Man, qualified to bear Arms, to be employed in the ſaid Boat, Wherry, or Canoe, under the Penalty of forfeiting Forty Shillings *per* Month, current Money of this Iſland, as aforeſaid.

Juſtice to iſſue his Warrant to diſtrain the Boat, &c. of Offenders.

V. And it ſhall and may be lawful for the Juſtice or Juſtices of the Pariſh where ſuch Offence ſhall be committed, to iſſue forth his or their Warrant or Warrants to the Conſtable or Conſtables to diſtrain upon any ſuch Boat, Wherry, or Canoe (although it be in Time of Martial Law) and expoſe them to Sale, by publick Outcry, in the Pariſh where the Offence ſhall be committed: But if the Maſter or Owner of any Boat, Wherry, or Canoe, will ply or work in his ſaid Boat, Wherry, or Canoe, he ſhall be deemed, taken, and eſteemed, to all Intents and Purpoſes, in Lieu and in Stead of a white Servant; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

No Boat, &c. to ply in the Harbour of *Kingſton*, &c. before it be numbered and regiſtered in Naval Office.

VI. And to prevent all Frauds that may be committed by any Owners or Plyers of Wherries, Canoes, or Boats, as aforeſaid, be it further enacted, That within Ten Days after the paſſing of this Act, no Boat, Wherry, or Canoe, do or ſhall ply in the Harbour of *Kingſton*, *Paſſage Fort*, or *Port Charles*, until the ſaid Boat, Wherry, or Canoe be numbered; and the Boat, Wherry, or Canoe, and Number, with the Name of the Owner thereof, be firſt regiſtered in her Majeſty's Naval Office; and the Number, with the Surname of the Owner or Owners, wrote at Length, be placed upon the upper Part of the Outſide of the Stern of the ſaid Boat, Wherry, or Canoe, and on no other Part, in large and plain Letters and Figures, upon the Penalty of Forty Shillings for each and every Offence; which Number the Naval Officer is hereby required, under the Penalty of Forty Shillings, to regiſter, with the Name of the Owner or Owners, in Order as they come; and deliver in Writing the Number to be placed on the ſaid Boat, Wherry, or Canoe, and receive for his Fee Two Shillings and Six-Pence, and no more.

Penalty on Merchant, &c. ſelling white Servants within Six Days after their Arrival.

VII. And be it further enacted by the Authority aforeſaid, That no Merchant, Maſter, or Importer of white Servants ſhall preſume to bargain or ſell any Servant or Servants within Six Days after their Arrival, under the Penalty of forfeiting One hundred Pounds, current Money of this Iſland, for every Servant ſo diſpoſed of.

Collector, &c. obliged to receive ſuch Servants as remain undiſpoſed of.

VIII. And to the Intent that all due Encouragement may be given to all Merchants and other Importers, as aforeſaid, if any Servant or Servants remain undiſpoſed of for the Space of Seven Days after the Expiration of the Time aforeſaid; that then, and in ſuch Caſe, the Merchant, Maſter, or Importer of ſuch Servants, may give a Liſt of the ſaid Servants to the Collector, Receiver-general, or his lawful Deputy, who is hereby obliged to take and receive the ſaid Servants,

paying

paying the Importer, if in Time of War, the Sum of Eighteen Pounds current Money of this Iſland *per* Head; and in Time of Peace, Fourteen Pounds *per* Head; provided ſuch Servant or Servants be *Engliſh*, *Scotch*, *Welſh*, or of the Iſlands of *Jerſey*, *Guernſey*, or *Man*: And for all *Iriſh* Servants, the Sum of Fifteen Pounds *per* Head in Time of War, and Twelve Pounds in Time of Peace: Provided alſo, That all ſuch Servants be not under the Age of Fifteen, and not above the Age of Forty Years: And that no Convicts, *Jews*, *Quakers*, ſick, decripped, or diſabled Perſons be within the Conſtruction of this Act: And the Collector or Receiver-general receiving ſuch Servants, ſhall forthwith ſend the ſame to the *Cuſtos Rotulorum*, or in his Abſence, to any Two Juſtices of the Peace, One being of the *Quorum*, of the Pariſh or Precinct where the greateſt Deficiencies are, in Proportion to Slaves. 1703.

IX. And to the Intent that the Collector or Receiver-general may be duly informed of the Deficiencies of each Pariſh or Precinct, be it further enacted by the Authority foreſaid, That all Perſons, by themſelves, or Overſeers, are hereby obliged, once every Six Months, under the Penalty of Ten Pounds for each and every Offence, to give an Account upon Oath to the Juſtices, in Seſſions, or where no Seſſions are, to any Two Juſtices, the Number of their Slaves and Cattle, and Servants hired for the Space of Six Months; that the *Cuſtos Rotulorum*, or Two Juſtices, whereof One to be of the *Quorum*, do forthwith ſend a Liſt of the Deficiencies to the Collector or Receiver-general, under the Penalty of Fifty Pounds current Money of this Iſland, that upon the Arrival of Servants he may ſupply the Deficiencies in each Precinct: And the *Cuſtos Rotulorum*, or in his Abſence, any Two Juſtices, as aforeſaid, receiving the ſame, ſhall proportion, value, and allot them to the ſeveral Perſons within their Pariſhes or Precincts, as they in their Diſcretion ſhall judge; provided, that ſuch Sums do not in the whole exceed the Rates within this Act afore mentioned: And all Sum or Sums of Money from thence ariſing, ſhall be, by the Conſtable or Conſtables, within Two Months after ſuch Allotment made, collected, gathered, and paid to the *Cuſtos Rotulorum*, or Two Juſtices, as aforeſaid; who receiving the ſame, ſhall, within Fourteen Days, under Penalty of One hundred Pounds current Money, remit it to the Collector, Receiver-general, or his lawful Deputy, to reimburſe the Monies by him ſo laid out: And if any Perſon or Perſons do not, within the Time appointed, pay the Sum or Sums aforeſaid, although it be in Time of Marſhal Law, the ſame ſhall be recovered by Warrant from any of her Majeſty's Juſtices of the Peace; as alſo all Debts contracted for any Servant or Servants ſold within this Iſland, in the ſame Manner as is provided in the Act impowering the Juſtices of the Peace to decide Differences not exceeding Forty Shillings; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Owners of Slaves obliged to give an Account of them to the Juſtices, and Number of them, &c.

X. And the Collector, or Receiver-general, or his lawful Deputy, ſhall be allowed at the Rate of Two and half *per Cent.* for the receiving and paying all ſuch Sum or Sums of Money as he ſhall receive or pay by virtue of this Act, and the Charges he ſhall be at in the Execution of the ſame.

Collector's Fees.

XI. And be it further enacted by the Authority aforeſaid, That all Perſons whatſoever who ſhall hereafter purchaſe or buy any Perſon, or cauſe to be bought or purchaſed any white Servant or Servants, to fill up their Deficiencies, ſhall and are hereby required to give upon Oath (which Oath the Collector or Receiver-general is hereby impowered and required to adminiſter) an Account of the ſame, and in what Pariſh he intends to place them, upon Penalty of forfeiting Twenty Pounds for each Servant bought or purchaſed; to be recovered by Action of Debt, in any Court of Record within this Iſland.

Any Perſon buying a white Servant, to give Notice of ſuch Purchaſe to the Receiver-general.

XII. And be it further enacted, That if the Collector or Receiver-general ſhall at any Time ſend to any Pariſh more white Servants than are needful for the filling up the Deficiencies; ſuch Pariſh ſhall, and is hereby obliged to receive, keep, and maintain the ſame at the Charge of the ſaid Pariſh for the Space of Ten Days, that the Collector or Receiver-general may aſſign them to ſome other Part, as alſo all Charges of Paſſage and Travel to and from the ſaid Pariſh; and upon the Refuſal ſo to do, ſhall forfeit the Sum of One hundred Pounds.

No Pariſh to have more white Servants ſent to it than are needful.

XIII. And

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Jews to supply their Deficiencies by their own Nation.

XIII. And be it further enacted by the Authority aforeſaid, That all *Jews* that are or ſhall be hereafter Maſters or Owners of Slaves within this Iſland, ſhall ſupply their Deficiencies by their own Nation, or by hired white Chriſtian Men, and not by indented Chriſtian Servants, under the Penalty of Five hundred Pounds current Money of this Iſland.

Maſter of Ship importing 30 white Men-ſervants, freed from Port Charges.

XIV. And be it further enacted, For the greater Encouragement of all Maſters of Ships or Veſſels that ſhall import to this Iſland thirty white Men-ſervants, as aforeſaid, and due Proof upon Oath made thereof before the Naval Officer (who is hereby impowered and required to adminiſter the ſame) ſhall for that Voyage be altogether freed and exempted from paying any Port-Charges for the ſaid Ship or Veſſel wherein the ſaid Servants are imported; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Repeal of a former Act.

XV. And be it further enacted by the Authority aforeſaid, That an Act of this Iſland, entituled, *An Act for encouraging the Importation of white Servants*, confirmed in Council by his late Majeſty King *Charles* the Second, the ſeventeenth Day of *April*, One thouſand ſix hundred and eighty four, and every Clauſe and Clauſes therein contained, be and are hereby repealed, annulled, and made void to all Intents and Purpoſes; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Forfeitures how to be recovered and diſpoſed of.

XVI. And be it further enacted by the Authority aforeſaid, That the ſeveral Fines, Forfeitures, and Penalties before mentioned in this Act, and not declared where they ſhall be recovered, or how diſpoſed of, ſhall be one Half to the Uſes in this Act mentioned; and the other Half to the Informer, who ſhall ſue for the ſame: To be recovered, if not exceeding Forty Shillings, before any Juſtice of the Peace; if above Forty Shillings, in any Court of Record within this Iſland, where no Eſſoin, Protection, or Wager of Law ſhall be allowed; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

An Act for aſcertaining, eſtabliſhing, and more ſpeedy collecting her Majeſty's Quit-rents.

Act 47.

Patent ſealed under the Great Seal declared a good Title,

Be it enacted and ordained by her Majeſty's Lieutenant-Governor, Council, and Aſſemby, and it is hereby enacted by the Authority of the ſame, That a Patent ſealed under the Great Seal of this Iſland, and recorded in the Office of Enrolments, eſtabliſhed in this Iſland, ſhall evidence the Patentee or Patentees juſt Right and Title to all and every Parcel of Lands, Houſe or Houſes, Tenements, or other Things in the ſaid Patent granted, and be a good Bar to the Right and Title of her Majeſty, her Heirs and Succeſſors.

which the Chancellor is to enroll,

II. And to the End her Majeſty's Grants may not be hindered, delayed, or obſtructed; the Keeper of the Seal, or Chancellor for the Time being, ſhall, and is hereby obliged, the next *Tueſday* before each Grand Court, to cauſe all ſuch Grants and Patents as are in his Office to be ſealed at St. *Jago de la Vega:* And all inferior Officers, who are concerned in drawing and paſſing the ſame, are then and there likewiſe to be ready to do their Duty.

notwithſtanding any Miſnomer, &c. in the ſaid Patent.

III. And foraſmuch as all Titles of Land are derived from her Majeſty and her Royal Predeceſſors, and the Land hath been laid out, and the Patents made by her Majeſty and her Predeceſſors Officers, in which many Errors or Miſtakes may have happened; which, according to the ſtrict Rules of Law, might make many Grants void, in all or in Part: Be it therefore enacted by the Authority aforeſaid, That all Lands already granted under the Broad Seal of this Iſland, or hereafter to be granted by her Majeſty, her Heirs or Succeſſors, upon Surveys made or to be made, be for ever good to the Patentee, and to thoſe to whom the Right of the Patentee ſhall come, for all Lands comprized within the Survey or Bounds; any Miſnomer, Miſbounding, or miſtaking of Quantity, or other Error notwithſtanding, againſt her Majeſty, her Heirs and Succeſſors, or any other Perſon or Perſons claiming under her or them for ever: And that all ſuch Grants ſhall be taken as ſtrongly againſt her Majeſty, her Heirs and Succeſſors, as the Grants of any other Perſon or Perſons ſhould or ought to be taken againſt him or them, or his or their Heirs or Aſſigns. IV. Pro-

1703.

IV. PROVIDED nevertheleſs, and be it further enacted by the Authority aforeſaid, That where either her Majeſty or the Patentee are aggrieved by Miſtake in Quantity, a Re-ſurvey ſhall be made by one Surveyor, indifferently ſworn between the Queen and Patentee, or who claimeth in his Right, before any of her Majeſty's Juſtices of the Peace: Upon which Re-ſurvey a Confirmation of the former Grant ſhall iſſue under the Broad Seal of this Iſland, reciting the Error, and reſerving for the future the ſame Rent mentioned in the ſaid Grant, according to the juſt Quantity found by ſuch Re-ſurvey: For which Confirmation the Chancellor ſhall receive Ten Shillings; and the Clerk of the Patents Eight Shillings, and no more; to be paid, as all other Charges of the ſaid Re-ſurvey, by the Party requiring the ſame: But no Retroſpect ſhall be had to what Rent ought to have been paid, be the Quantity more or leſs; any Thing in this Act contained to the contrary in any wiſe notwithſtanding. Proviſo.

V. AND be it further enacted by the Authority aforeſaid, That if any Diſpute ſhall ever ariſe upon any Survey, wherein the Survey or Plat given into the Patent-Office ſhall vary from the real run and marked Lines; in all ſuch Diſputes the Judges, before whom the ſame ſhall happen, ſhall adjudge the real run and marked Lines, which are proved before them to be run and marked, to be the Bounds of the Lands granted; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. Judges to determine in all Diſputes.

VI. AND whereas there have been Uncertainties and Diſputes in the Payment of her Majeſty's Quit-rents, reſerved in the Patents formerly granted, by reaſon of the Words *Manured* and *Planted:* And whereas her Majeſty hath been, and now is graciouſly pleaſed, that whatſoever ſhall ariſe from the Quit-rents ſhall be applied towards the Support of the Government, and defraying the contingent Charges of this Iſland: In Conſideration whereof, and to aſcertain the ſame, be it enacted and ordained by the Authority aforeſaid, That every Parcel or Parcels of Land, of what Nature and Quality ſoever, granted and patented before the Twenty-fifth Day of *June*, in the Year of our Lord One thouſand ſix hundred and ſeventy one, ſhall, for Arrears and growing Rents, pay for every Thirty Acres annually the Sum of One Shilling, and ſo proportionably for every Parcel under One hundred Acres; and for every hundred Acres, Two Shillings and Six-Pence, and ſo proportionably for a greater Quantity; and for all Lands, of what Quantity ſoever, from the aforeſaid Time to the Twelfth of *March*, in the Year of our Lord One thouſand ſix hundred ſeventy and four, or that ſhall hereafter be granted, ſhall pay one Half-penny *per* Acre, and ſo proportionably for a greater Quantity; and for Foot-land, one Half-penny *per* Foot for two Sides of the Square added together, and ſo proportionably for a greater or leſſer Quantity, as a certain eſtabliſhed Quit-rent and Acknowledgment to her Majeſty, her Heirs and Succeſſors for ever; any Law, Cuſtom, or Uſage, or any Thing contained in the ſaid Patents to the contrary notwithſtanding. Lands granted before the 25th of *June*, 1671, to pay an annual Rent of 1*s.* for every 30 Acres of Land, &c.

VII. AND for the more ſpeedy and eaſy collecting of the ſaid Quit-rents, be it further enacted by the Authority aforeſaid, That the Collector or Receiver of the Quit-rents, or his lawful Deputy, ſhall twice every Year, *viz.* at the Feaſts of St. *Michael* the Arch-angel, and of the Annunciation of the bleſſed Virgin *Mary*, keep an Office in the Town of St. *Jago de la Vega*, in the Pariſh of St. *Catharine*, and in the Town of *Kingſton*, during the Space of one Month at each Place, and then and there to receive the Quit-rents from the Perſons concerned; which ſaid Office he ſhall attend from the Hours of Eight to Eleven in the Forenoon, and from the Hours of Two to Five in the Afternoon; and upon the Receipt of her Majeſty's Quit-rents, thereof to acquit and diſcharge all Perſons. Collector to keep an Office for the Receipt of Quit-rents.

VIII. AND whereas on the Seventh of *June*, in the Year of our Lord One thouſand ſix hundred and ninety two, there happened a dreadful Earthquake, wherein the Receiver-general loſt the Books of Accounts, and all Papers relating to the Quit-rents and his Office, then kept at *Port Royal:* As alſo the Owners and Proprietors of Lands, by that Calamity, and the Ravage, Spoil, and Devaſtation made by the Enemy ſoon after, many Patents, Deeds, Evidences, and Receipts belonging to the Inhabitants of this Iſland were burnt and deſtroyed; whereby the Receivers of her Majeſty's Quit-rents have ſince from Time to Time been ren-

1703. dered incapable of doing their Duty in collecting the Quit-rents as the Act required: To prevent ſo great an Inconveniency and Hardſhip that has attended this Iſland ſince that Time for want of Money upon all Occaſions, not only to defray the contingent Charges, but alſo to enable the Treaſury, upon any Emergency, to ſupply and furniſh the Country with Money, without impoſing heavy and burthenſome Taxes upon the Inhabitants, eſpecially in Time of War, wherein often the Deſign is fruſtrated before Money to be raiſed for the Purpoſe can be collected; and fully to enable the Collector, the Receiver-general, and his Deputy, to make and ſtate a juſt and true Account of her Majeſty's Quit-rents; and to indemnify and diſcharge all Patentees, Owners, or Proprietors of Lands chargeable with Quit-rents, from all their Quit-rents and Arrearages of Quit-rents, become due and payable at or before the Feaſt of St. *Michael* the Arch-angel, in the Year of our Lord One thouſand ſix hundred and ninety two; and that ſo great a Branch of the Revenue may be duly and punctually paid and applied from Time to Time, and at all Times hereafter, at the uſual Times mentioned in the Letters-patents for paying the ſame, and in caſe of any Failure and Default of the Payment of the ſaid Quit-rents ſo reſerved in Letters-patents, at the uſual Times in the ſaid Grants mentioned and reſerved; and fully to impower and enable the Receiver-general, his Deputy, and other Officers, to proceed and proſecute ſuch Offenders as the Laws in ſuch Caſes do direct: Be it further enacted by the Lieutenant-Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That all Sum and Sums of Money that were due for Quit-rents in this Iſland on or before the Feaſt of St. *Michael* the Arch-angel, in the Year of our Lord One thouſand ſix hundred and ninety two, from any Perſon or Perſons whatſoever, be and are hereby acquitted, releaſed, and diſcharged; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Perſons diſcharged from paying Quit-rents due before the Feaſt of St. *Michael*, 1692.

IX. And be it further enacted by the Authority aforeſaid, That all Perſons reſiding in this Iſland, by themſelves, Agents, Factors, Attornies, or other Perſons, ſhall repair to the Town of St. *Jago de la Vega*, or *Kingſton*, at or before the firſt Day of *February*, in this preſent Year One thouſand ſeven hundred and three, and then and there account with the Receiver-general, or his Deputy or Deputies, for all Sum or Sums become due and payable for their Quit-rents until the Feaſt of St. *Michael* the Arch-angel, in this preſent Year One thouſand ſeven hundred and three; and pay or give Security to pay the ſame at or before the firſt Day of *May* next, in the Year One thouſand ſeven hundred and four, after the making up ſuch Account: And the Receiver-general, or his Deputy, ſhall, on Demand, give a Certificate unto ſuch Perſon or Perſons, that he, ſhe, or they have ſo accounted, paid, or given in Security to pay, at or before the ſaid firſt Day of *May* next, all ſuch Sum and Sums of Money due from him, her, or them, for their and each of their Quit-rents and Arrearages of Quit-rents to the Feaſt of St. *Michael* the Arch-angel, in this preſent Year One thouſand ſeven hundred and three, as aforeſaid; for which the Receiver-general, or his Deputy, ſhall take Two Shillings and Six-Pence, as a Fee for the ſame, and no more; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Time limited for paying Arrears of Quit-rents due on the Firſt of *February*, 1703.

Clauſe to enforce the Payment of Quit-rents due from Perſons who reſide not on the Iſland.

X. And be it further enacted and ordained by the Authority aforeſaid, That all Perſons that do not inhabit and reſide within this Iſland, and are poſſeſſed and hold any Land or Lands within the ſame, and have no Effects whereon her Majeſty may diſtrain for the Quit-rents due for the ſame in this Iſland; every ſuch Perſon or Perſons are hereby required and obliged, by themſelves, Agent, or Attorney, within eighteen Months after the firſt Day of *February*, in the Year of our Lord One thouſand ſeven hundred and three, to account with the Receiver-general for the Time being, or his Deputy, and pay all ſuch Sum or Sums of Money as ſhall be found due to her Majeſty for Quit-rents ſince the Feaſt of St. *Michael* the Arch-angel, in the Year One thouſand ſix hundred and ninety two, under the Penalty of forfeiting the ſaid Land or Lands: And in caſe at the Expiration of the ſaid Term of eighteen Months after the firſt Day of *February*, in this preſent Year One thouſand ſeven hundred and three, the ſaid Owner or Poſſeſſor do not, by himſelf, Agent, Attorney, or other Perſon, account and pay as by this Act is required; that then the Provoſt-marſhal-general of this Iſland, or his Deputy,

Deputy, is hereby authorized and required to make Proclamation of the ſame in the Supreme Court of Judicature, held at the Town of St. *Jago de la Vega*, the two next Courts after ſuch Failure and Forfeiture, and Judgment ſhall be affirmed to her Majeſty, her Heirs and Succeſſors; and the Provoſt-marſhal, or his Deputy, is hereby required and impowered to ſeize the ſame accordingly: And then, and from thenceforth, the ſaid Land or Lands, as aforeſaid, ſhall be veſted in our Sovereign Lady the Queen, her Heirs and Succeſſors; and ſhall be a perpetual Bar againſt any former Patent, Grant, or Claim whatſoever: And that then it ſhall and may be lawful for the Governor or Commander in Chief of this Iſland for the Time being, by Letters-patents under the Broad Seal of this Iſland, to grant the ſaid forfeited Land or Lands to any Perſon or Perſons whatſoever; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. 1703.

Clauſe to enable Perſons to ſurrender their Lands,

XI. AND be it further enacted by the Authority aforeſaid, That all and every Owner or Proprietor of Land within this Iſland, ſhall, and are hereby impowered to reſign and ſurrender any whole Tract or Parcel of Land or Lands, or Grants they now hold, ſeized in Fee-ſimple, in their own proper Right, into the Hands of her Majeſty, or her Heirs or Succeſſors; which Surrender ſhall be made by delivering up into the Hands of the Clerk of the Chancery for the Time being, all ſuch Patents, Grants, and Evidences, whereby they have held the ſame, or by certifying the Records thereof: And the Clerk of the Chancery is hereby required and impowered to accept and receive the ſame; and upon Receipt thereof, to give a Certificate under his Hand unto the Perſon or Perſons ſurrendering as aforeſaid; in which ſhall be expreſſed the Date of the Grant, the Quantity of the Land or Lands, the Pariſh it lies in, and the Bounds of the ſame; which being duly acknowledged by the Clerk of the Chancery before the Governor or Commander in Chief for the Time being, or before ſome one of the Judges of the Supreme Court of Judicature of this Iſland, and Record thereof made in the Secretary's Office of Enrolments, ſhall be deemed and taken as a total Reſignation and Surrender of ſuch Grant or Patent: And the Perſon or Perſons ſurrendering in Manner aforeſaid, ſhall be acquitted and diſcharged from all Quit-rents reſerved for the ſame; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

which may be regranted.

XII. AND be it further enacted by the Authority aforeſaid, That after ſuch Surrender of any whole Parcel or Tract of Land or Lands, as aforeſaid, that it ſhall and may be lawful for the Governor or Commander in Chief for the Time being, by Letters-patents under the Broad Seal of this Iſland, to grant the ſame to any Perſon or Perſons whatſoever: And that the Clerk of the Chancery have and receive, as a Fee for his Certificate and Acknowledgment, the Sum of Five Shillings for every Parcel of Land ſo reſigned and ſurrendered; and the Secretary the Sum of Five Shillings for the recording the ſame: Provided always, That ſuch Land or Lands ſo to be ſurrendered, are, at the Time of the Surrender and Reſignation, free and clear of and from all former and other Gifts, Grants, Mortgages, Intails, and Incumbrances whatſoever.

Perſons not paying their Quit-rents, excluded the Benefit of this Act.

XIII. AND be it further enacted by the Authority aforeſaid, That all and every Perſon or Perſons, Owners or Proprietors of Land within this Iſland, that ſhall not, by themſelves, Factor, Attorney, or other Perſon, repair to the Receiver-general's Office for that Purpoſe, to be duly and conſtantly kept at the Towns of St. *Jago de la Vega* and *Kingſton*, at the uſual Office-Hours, from the Time of the paſſing of this Act until the firſt Day of *May* next, in the Year of our Lord One thouſand ſeven hundred and four, and then and there duly account with the Collector or Receiver-general, or his Deputy or Deputies, and pay, or give Security to pay, at or before the ſaid firſt Day of *May*, in the Year of our Lord One thouſand ſeven hundred and four, all his, her, or their Quit-rents and Arrearages of Quit-rents, at that Time due, for all and every the Lands they hold and poſſeſs, from the ſaid Feaſt of St. *Michael* the Arch-angel, in the Year of our Lord One thouſand ſix hundred and ninety two; all and every Perſon ſo refuſing or neglecting the ſame, ſhall be wholly excluded and barred from any Benefit and Advantage by this Act: And the Collector, or Receiver-general, or his Deputy, ſhall and are hereby required to make Enquiry after all ſuch Perſons ſo refuſing or neglecting to account as aforeſaid, and inform her Majeſty's Attorney-general, that due Proceſs

1703. ceſs may be iſſued out againſt ſuch Offender or Offenders as the Law in ſuch Caſes requires, for the Recovery of all her Majeſty's Quit-rents and Arrearages of Quit-rents due from the Date of each Patent.

Penalty on Guardians not paying the Quit-rents for Infants Eſtates.

XIV. And be it further enacted by the Authority aforeſaid, That all and every Truſtee or Guardian to any Owner or Proprietor of Land within this Iſland, being an Infant, ſhall and are hereby required, at or before the ſaid firſt Day of *May*, in the Year of our Lord One thouſand ſeven hundred and four, to repair to the Receiver-general's Office, and there account and pay the Quit-rents due for every ſuch Infant's Land under his, her, or their Charge, on the Penalty of One Hundred Pounds, current Money; unleſs the ſaid Truſtee or Guardian ſhall from Time to Time make Oath (which Oath the ſaid Collector, Receiver-general, or Deputy, have Power, and are hereby required to adminiſter) that he hath not Effects in his Hands enough to pay the ſame; which ſhall be ſufficient for that Time to excuſe the ſaid Guardian or Truſtee, and hinder and ſtop any further Proceſs until the ſaid Infant or Infants come to Age themſelves.

Purchaſer of Lands to give Notice of ſuch Purchaſe to the Receiver-general.

XV. And be it further enacted by the Authority aforeſaid, That for the more ready collecting her Majeſty's Quit-rents, from henceforth becoming due and payable; all Owners and Proprietors of Land within this Iſland that ſhall hereafter alien, ſell, or convey any Part or Parcel of Land to any Perſon whatſoever, the ſaid Buyer and Purchaſer of ſuch Land ſhall, and is hereby required, within the Space of Three Months after any ſuch Alienation, Sale, or Conveyance, to give an Account of the ſame to the Receiver-general, or his Deputy, in Writing, expreſſing his own Name, the Name of the Pariſh, Quantity of Land, and the Perſon of whom he purchaſed the ſame, and the Bounds thereof reſpectively; to the Intent the Receiver-general may know upon whom the Quit-rents from that Time become due and payable, under the Penalty that ſuch Purchaſer forfeit the Sum of Ten Pounds for each Neglect: And the Collector, Receiver-general, or Deputy, ſhall keep a Book for that Purpoſe, and enter the ſame accordingly; for which he ſhall receive, as a Fee, the Sum of Five Shillings, and no more.

Bills of Sale duly executed, to be deemed good in Law.

XVI. And be it further enacted by the Authority aforeſaid, That all Bills of Sale and Conveyances whatſoever, heretofore made and recorded, or ſuch as ſhall be made hereafter by any Perſons out of this Iſland, either by Huſband and Wife, or by any ſingle Perſon, who by Law may make any ſuch Sale or Conveyance, and acknowledged before the Lord Mayor of *London*, or any Lord Mayor, or Mayor of any other City within the Kingdoms of *England* and *Ireland*, or before Governor or Governors of any of her Majeſty's Iſlands or Colonies for the Time being, and duly recorded in this Iſland, ſhall be good and valid in Law againſt all Perſons whatſoever, that can or may claim any manner of Eſtate in the Lands, Tenements, or Premiſſes ſo conveyed, or to be conveyed, as fully, to all Intents and Purpoſes, as any Lands or Tenements in *England* might be paſſed by Fine and Recovery duly levied and executed in any of her Majeſty's Courts in *Weſtminſter*.

Duplicates to be kept of all Books wherein her Majeſty's Quit-rents are entered.

XVII. And be it further enacted by the Authority aforeſaid, That a Duplicate of all her Majeſty's Books of Quit-rents, Impoſts, Fines, and Forfeitures, and other Branches of her Majeſty's Revenues, ſhall be kept in the Town of St. *Jago de la Vega*, to prevent any future Accident, and for the better Security thereof; for which the Receiver-general, or his Deputy, ſhall take ſuch Fee only as is allowed him in this Act and the Act of Revenue, and no more; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Penalty on Officers neglecting their Duty.

XVIII. And be it further enacted by the Authority aforeſaid, That the Receiver-general, and his Deputy and Deputies, her Majeſty's Attorney-general, the Provoſt-marſhal-general, and his Deputy, the Clerk of the Chancery, and all other Officers, and each of them reſpectively for the Time being, that ſhall neglect his or their Duty in the Execution of the Truſt and Office hereby required and repoſed in each of them reſpectively, according to the true Intent and Meaning of this Act, each Perſon ſo offending ſhall forfeit the Sum of Five Hundred Pounds, current Money of this Iſland, for every ſuch Offence: All which Fines and Forfeitures in this Act mentioned, ſhall be one Half to our Sovereign Lady the Queen, her Heirs and Succeſſors, for and towards the Support of the Government

vernment of this Iſland, and the contingent Charges thereof; and the other Half to the Informer, or him or them that ſhall ſue for the ſame in the Supreme Court of Judicature, where no Eſſoin, Protection, or Wager of Law ſhall be allowed, or *Non vult ulterius proſequi* ſhall be entered; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. 1703.

An Act to prohibit the keeping of any Quantities of Gunpowder on Port Royal, *and for the better Regulating and Security of the ſaid Town: And to enable the Freeholders to chooſe Church-wardens, Veſtrymen, and other Parochial Officers, although the Time for chooſing thereof be elapſed already.* 1704.

ACT 48.

WHEREAS it has been found by fatal Experience, that permitting of Gunpowder in great Quantities upon *Port Royal*, and the covering the Houſes with Shingles brought from the Northward, was in great Meaſure the Occaſion of the Deſtruction of the ſaid Place, by the late dreadful Fire; for the Prevention whereof for the future, be it enacted by your Majeſty's Lieutenant-Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That from and after the firſt Day of *July*, in this preſent Year One thouſand ſeven hundred and four, no Perſon or Perſons ſhall preſume to keep any Quantity or Quantities of Gunpowder, exceeding four Pounds for each white Man in each reſpective Family, except Retailers of Gunpowder, who ſhall be permitted to keep the Quantity of one Barrel, and no more, at one Time; which ſaid Powder ſhall be kept in the uppermoſt Room in the Houſe of ſuch Retailer or Retailers; and in caſe there be no upper Room, then in ſome Loft or other Place near the Roof of ſuch Houſe, to be for that Purpoſe erected: And if any Perſon or Perſons ſhall keep in any Houſe or Houſes any greater Quantity of Gunpowder than what is preſcribed and allotted, every Perſon and Perſons ſo offending, contrary to the true Intent and Meaning hereof, ſhall for every ſuch Offence forfeit not only the ſaid Powder but the Sum of Ten Pounds; to be recovered by Bill, Plaint, or Information in any Court of Record within this Iſland; one Moiety whereof ſhall be paid to the Church-wardens for the Time being of the ſaid Pariſh, for the Uſe of the Poor thereof; and the other Moiety to the Informer, or any other Perſon that will ſue for the ſame; wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed, or *Non vult ulterius proſequi* entered; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding.

Penalty on Perſons keeping a greater Quantity of Gunpowder by them than is hereby allowed.

II. AND whereas the ſhingling of Houſes with Shingles brought from the Northward is found by Experience to be very dangerous, be it further enacted by the Authority aforeſaid, That no Perſon or Perſons whatſoever, from and after the ſaid firſt Day of *July*, ſhall cover any Houſe, Shed, Out-houſe, or any other Buildings, with any Shingles brought from the Northward, or with any other Shingles, ſave what are made in this Iſland, under the Penalty of One hundred Pounds, current Money of this Iſland, beſides the Forfeiture thereof; one Moiety whereof ſhall be paid to the Church-wardens for the Time being of the ſaid Pariſh, for the Uſe of the Poor thereof, as aforeſaid; and the other Moiety to the Informer, or any other Perſons that ſhall ſue for the ſame; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

This Clauſe repealed by Act 51.

III. AND whereas, for the Security of the Town, the Church-wardens and Veſtry for the Time being may find it neceſſary, that all Powder, Pitch, Tar, Rozin, Brimſtone, Turpentine, Cordage, and all other combuſtible Matters, together with all Lumber, and Perſons trading therein, or making uſe of Fire, ſhould be removed thereout, and kept at the *Tan-houſe*, or ſome other convenient Place adjoining thereunto: To the Intent therefore that all and every ſuch Perſon and Perſons may have a convenient Place allotted for the carrying on of their reſpective Trades and Employments, be it enacted by the Authority aforeſaid,

1704. ſaid, That it ſhall and may be lawful for the Juſtices and Veſtry for the Time being, to demiſe, let, and ſet to all and every Perſon and Perſons trading in all or any ſuch Commodities, all and every ſuch Quantity and Quantities of Ground at or near the *Tan-houſe*, or any other Place adjacent thereunto within the ſaid Pariſh, as the Church-wardens and Veſtry ſhall judge neceſſary and convenient, at and under ſuch yearly and other Rents, Reſervations, Limitations, Reſtrictions, and other Covenants, and for any Number of Years, not exceeding Twenty-one, as the ſaid Church-wardens and Veſtry for the Time being, or a Majority thereof, and ſuch Leſſee or Leſſees ſhall agree upon.

Juſtices, &c. may let Ground near the *Tan-houſe*, to Perſons dealing in Gunpowder, &c.

IV. And it is hereby enacted and declared, That all and every ſuch Leaſe or Leaſes, Demiſe and Demiſes, to be made and executed by the ſaid Juſtices and Veſtry, or the major Part of them, purſuant to the true Intent and Meaning hereof, ſhall be good and valid in Law, to all Intents and Purpoſes, to convey the Lands and Tenements to be mentioned and contained in ſuch Leaſe or Leaſes, for the Time and Term to be therein limited; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Leaſes of Ground by them let, to be valid in Law.

V. And for the further Security and Regulation of the ſaid Town, and preventing of Fire therein, be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Juſtices and Veſtry, when and as often as they meet, to make, conſtitute, and ordain ſuch Rules, Orders, and Ordinances, as they, or a Majority of them, as aforeſaid, ſhall judge neceſſary and convenient; and that all and every ſuch Rules, Orders, and Ordinances, ſo to be made and ordained by the ſaid Juſtices and Veſtry, or the major Part of them, as aforeſaid, ſhall oblige and bind all and every the Inhabitants within the ſaid Pariſh: And in caſe any Inhabitant or Inhabitants within the ſaid Pariſh ſhall refuſe to obey or comply with ſuch Rule, Order, or Ordinance; that then all and every Perſon or Perſons ſo offending, neglecting, diſobeying, or refuſing to comply therewith, ſhall for every ſuch Offence forfeit the Sum of Forty Shillings; to be recovered and levied by Warrant under the Hand and Seal of any Juſtice of the Peace of the ſaid Pariſh; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Penalty on Perſons diſobeying Orders made for the Prevention of Fire.

VI. And whereas the Time for chooſing Church-wardens and Veſtrymen, and other Parochial Officers, is, by the Conſtitution and a Law of this Iſland, elapſed; be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Juſtices, or any Two of them, within Ten Days after the paſſing of this Act, to iſſue out a Warrant or Warrants to the Provoſt-marſhal, or his lawful Deputy, to ſummon the Freeholders of the ſaid Pariſh, to be and appear at ſuch a certain Place, and on ſuch certain Day and Time as the ſaid Juſtices ſhall appoint, then and there to make Choice of Ten Veſtrymen, Two Church-wardens, Conſtables, and other Parochial Officers, to ſerve for the remaining Part of this preſent Year One thouſand ſeven hundred and four, as effectually, to all Intents and Purpoſes, as if they had been choſen within the Time preſcribed, according to the true Intent and Meaning of an Act, entituled, *An Act for the Maintenance of Miniſters and the Poor, and erecting and repairing of Churches*; any thing herein, or in any former Law to the contrary in any wiſe notwithſtanding.

Juſtices to iſſue a Warrant for the chooſing of Pariſh Officers.

1705. *An Act for making a new Road from St.* Thomas in the Eaſt *to St.* Andrew.

Act 49. WHEREAS the high Road from St. *Thomas*'s and St. *David*'s lieth ſo near the Sea-ſide, that by the landing of an Enemy the neceſſary Communication between the Pariſhes of St. *Andrew*, St. *Thomas*, and St. *David* may be obſtructed; and that it is therefore neceſſary that a new Road ſhould be made higher up in the Country; be it therefore enacted by her Majeſty's Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of

of the ſame, That it ſhall and may be lawful to and for the Juſtices of the Pariſh of St. *Thomas* to iſſue out their Warrant to ſummon a Jury to view and lay out a Path from *Ruſk Savanna*, on the North Side of the Plantations of Lieutenant Colonel *William Harris*, over the Hills, to the Plantation of Capt. *John Coſley*, until they meet with the high Road that leads to *Yellow Bay*; and that they clear and maintain the ſame at their own Coſt and Charge: And that the Juſtices of the Pariſh of St. *David* do ſummon a Jury to lay out a Path through the Land late of Col. *William Reives* and *Oathil Plantation*, and from thence to Capt. *Coſley*'s Pen, called *Cambridge*, and from thence over the Hills to *Bull*'s *Bay River*: And that the Juſtices of *Port Royal* and St. *Andrew*'s, or ſome of them, do join, and by Warrant ſummon a Jury to lay out a Path thro' the Pariſh Land of *Port Royal* and St. *Andrew*'s, the beſt and moſt convenient Way to the Plantation of *Elizabeth Humphries*, Widow, beginning at *Bull*'s *Bay River*, where the Path from the Pariſh of St. *David* ends: And that the Plantations in the Pariſh of *Port Royal* do join their Hands with the Inhabitants of St. *Andrew*'s, for the making and clearing of ſuch Roads. 1705.

Thro' what Parts a Way is to be cut to make a Road from St. *Thomas*'s Pariſh to St. *Andrew*'s.

II. AND it is further enacted by the Authority aforeſaid, That the Surveyor of each and every Pariſh above mentioned ſhall go with the Jury when they lay out the Roads; and when they are laid out, that the ſeveral Surveyors proceed forthwith to do their Duties, to open and clear the ſeveral Roads in this Act mentioned; and that it be done in the ſame Manner as by an Act of this Iſland, entituled, *An Act for the Highways.*

Surveyors of each Pariſh to attend the Jury that lay out the Roads.

III. AND it is further enacted by the Authority aforeſaid, That if the Juſtices and Surveyors of each and every Pariſh in this Act mentioned ſhall neglect their ſeveral Duties, they ſhall reſpectively forfeit the Sum of Fifty Pounds, current Money, where any ſuch Neglect ſhall appear; one Half of all ſuch Fines and Forfeitures ſhall be to him or them that ſhall ſue for the ſame, and the other Moiety for the Uſe of the new Roads in ſuch Pariſhes where the Neglect ſhall happen: And that the Juſtices of the above named Pariſhes ſhall proceed to the laying out ſuch Roads in their ſeveral Pariſhes at or upon the Firſt of *November*, in the Year of our Lord One thouſand ſeven hundred and five: That all Fines under Forty Shillings ſhall be recovered before any Juſtices of the Peace; and if above Forty Shillings, in any Court of Record within this Iſland, where no Eſſoin, Protection, Wager of Law, or *Non vult ulterius proſequi* ſhall be entered; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Penalty on Juſtices and Surveyors neglecting their Duty.

An Act for the making and keeping clear a publick Road from Clarendon *to St.* Elizabeth's, *over* One-Eye Savanna.

ACT 50.

WHEREAS the preſent Highway from St. *Jago de la Vega* into the Pariſhes of St. *Elizabeth* and *Weſtmoreland*, in that Part from *Swift River* over *Long Bay* and the *Devil*'s *Race*, is very inconvenient and dangerous, by reaſon of the Quick-ſands along the Sea-ſhore, and the Narrowneſs and Difficulty of the Paſs over the *Devil*'s *Race*: And whereas by ſeveral credible Perſons that have travelled in the Woods and Mountains between *Porus Savanna* in the Pariſh of *Clarendon*, and *Forſter*'s Plantation in the Pariſh of St. *Elizabeth*, it hath been found, that a more commodious and ſhorter Way may be cut through the Woods from *Porus Savanna* aforeſaid, by the *Ciſterus* to *Martin*'s and by *One-Eye* Mountain to *Forſter*'s Plantation, in the Pariſh of St. *Elizabeth* aforeſaid: And it being requiſite, as well for her Majeſty's Service in conducting ſpeedy Succours to each Place, as for the neceſſary Uſe of her Majeſty's liege People, that a publick Road be laid out from the ſaid Pariſhes of St. *Elizabeth* and *Weſtmorland* into the Pariſh of *Clarendon* aforeſaid; be it therefore enacted by her Majeſty's Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That a new Highway or Path ſhall be, with all convenient Speed, run out and made, leading from the Croſs to *Burnt Savanna*, and through St. *Jago Savanna* by Mr. *John Sutton*'s Penn, and ſo over St. *Jago Savanna* to *Porus Savanna*, in the Pariſh of *Clarendon*, according to the moſt direct and convenient Courſe it can be laid out; and from *Porus Savanna* aforeſaid

A new Way to be laid out from *Clarendon* to St. *Elizabeth*'s.

1705. ſaid by *Martin*'s, and from *Martin*'s to the *Ciſterus*, and from the *Ciſterus* by *One-Eye* Mountain aforeſaid, and from thence the moſt direct and beſt Way leading to *Forſter*'s Plantation in St. *Elizabeth*'s aforeſaid.

The Commiſſioners in this Act named, to adminiſter an Oath to the Surveyors of the High-ways, &c.

II. And be it further enacted by the Authority aforeſaid, That the Commiſſioners for the reſpective Pariſhes, in this Act to be hereafter nominated and appointed, ſhall and may, and they are hereby impowered and required to adminiſter an Oath to the Surveyor of the Highways or Way-wardens of each reſpective Pariſh, forthwith upon the Return of the Surveyors, who are to run and lay out the ſaid Road or Highway, to the Commiſſioners in this Act to be hereafter named; which ſaid Surveyors are to be appointed by the ſaid Commiſſioners: And after ſuch Return to be made and delivered by the ſaid Surveyors to the ſaid Commiſſioners, the ſaid Commiſſioners are to deliver the ſame to the ſaid Way-wardens or Surveyors of the Highways, who ſhall thereupon forthwith proceed to the Execution and Diſcharge of the ſeveral reſpective Duties, as is required in and by an Act, entituled, *An Act for the Highways*, as in all other Caſes of Publick Roads and Highways, which ſaid Highway ſhall be cut ſixty Foot broad, according to an Act of this Iſland, entituled, *An Act for the Highways*, and well cleared by the Way-wardens of the Pariſh of *Clarendon* aforeſaid, by the Labour of the Negroes belonging to the ſaid Pariſh, by them to be warned for that Purpoſe, ſo far Weſtwardly as the Bounds of the ſaid Pariſh ſhall be found to extend; and the remaining Part of the Way to *Foſter*'s Plantation, as aforeſaid, ſhall be cut and cleared in like Manner by the Way-wardens of St. *Elizabeth*'s: And the ſaid Highway being ſo cut and cleared, ſhall for ever hereafter be deemed and taken as a Publick Road; and ſhall, as often as Occaſion requires, be maintained, repaired, and cleared, and kept in good Order by the Way-wardens of the ſaid Pariſh of *Clarendon*, from the Croſs aforeſaid to the Weſtward Bounds of the ſaid Pariſh of *Clarendon*, and by the Way-wardens of the Pariſh of St. *Elizabeth*, from thence to *Forſter*'s Plantation aforeſaid, and thence by or through *Dickenſon*'s Plantation to the next Highway, leading to the Pariſh of *Weſtmoreland*, through the Pariſh of St. *Elizabeth* aforeſaid.

Commiſſioners appointed for both Pariſhes to take Care of the due Execution of this Act.

III. And to prevent all Diſputes which may ariſe about the Bounds of the ſaid Pariſhes of St. *Elizabeth* and *Clarendon*, or otherwiſe however touching the Execution and Performance of this Law, be it further enacted and ordained by the Authority aforeſaid, That *Jonathan Gale*, *John Cambel* Eſq; *Jonathan Dickenſon*, *John Forſter*, and *John Hodges*, Gentlemen of the ſaid Pariſh of St. *Elizabeth*; *Peter Beckford*, *Edward Pennant*, *Edward Fearon*, *Thomas Roden*, and *Thomas Cargil*, Eſquires, of the Pariſh of *Clarendon*, be and are hereby appointed Commiſſioners to inſpect and take Care of the due Execution of this Act; which ſaid Commiſſioners, or any Three of them, ſhall and are hereby required to meet at the Croſs in *Clarendon* the firſt *Thurſday* in *November* next, in the Year of our Lord One thouſand ſeven hundred and five, and there to chooſe and appoint one lawful and ſworn Surveyor for the Pariſh of St. *Elizabeth*, and another for the Pariſh of *Clarendon*, who ſhall immediately proceed to the running out of ſuch a Path as by this Act is appointed to be made a Highway, with the moſt Conveniency to the Publick, and the leaſt Prejudice or Damage to any particular Perſon, from the Croſs, as aforeſaid, to *Burnt Savanna*, and through St. *Jago Savanna* by the ſaid *John Sutton*'s Pen, as aforeſaid, to *Porus Savanna* in *Clarendon* Pariſh, to *Forſter*'s Plantation in St. *Elizabeth*'s aforeſaid; and ſhall run out, fix, and aſcertain the Bounds of the ſaid two Pariſhes of St. *Elizabeth* and *Clarendon*, according as the ſame is appointed by a former Act of this Country for the Diviſion of the ſaid two Pariſhes; and the ſame ſo aſcertained ſhall mark out with Stakes or other notable Marks exactly in the Line, to the End a Poſt of good and durable Timber may be fixed, and for ever kept and maintained therein, when the ſaid Highway comes to be cleared; on which ſaid Poſt, ſo to be fixed, ſhall be cut or carved in good legible Characters, on the Weſterly Side thereof, St. *Elizabeth*; and on the Eaſterly Side thereof, *Clarendon*; and the ſame ſhall be always known, reputed, and taken as the Boundary of the ſaid two Pariſhes, and to which theſe ſaid two Pariſhes reſpectively are hereby obliged to clear, and for ever maintain: And in caſe any Surveyor or Surveyors, ſo to be choſen reſpectively

tively, ſhall neglect or refuſe immediately to proceed to the running out the intended Path and Line, as aforeſaid, that then, and in ſuch Caſe, they ſhall reſpectively forfeit the Sum of Fifty Pounds. 1705.

IV. And it ſhall and may be lawful for the ſaid Commiſſioners, or any Three of them, to appoint Two ſuch other lawful ſworn Surveyors, as they ſhall think fit, who are hereby impowered to act and do in the Premiſſes as by this Act is required and intended, inſtead of the other Surveyors intended to be choſen reſpectively by the Commiſſioners for the ſaid two reſpective Pariſhes of *Clarendon* and St. *Elizabeth* aforeſaid, under the like Penalty of Fifty Pounds; and the ſaid Surveyors ſo to be choſen and appointed, ſhall, as ſoon as they have run out the ſaid Path and Line, make Return of their Doings therein to the ſaid Commiſſioners, or any Three of them, who ſhall cauſe the ſame to be recorded by the Clerk of the Peace of each of the ſaid Precincts of *Clarendon* and St. *Elizabeth*; and that the ſaid Surveyors ſhall be paid by the Church-wardens of each Pariſh, for the Work by them done on account of each Pariſh, as ſhall be adjudged by the Commiſſioners aforeſaid, or the Majority of them, to be paid out of the Pariſh Stock reſpectively. Commiſſioners to appoint two ſworn Surveyors.

V. And it is hereby further enacted by the Authority aforeſaid. That the ſaid Commiſſioners having received the Return of the Surveyors, as aforeſaid, ſhall cauſe Two Copies of the ſame to be fairly drawn out, one whereof they ſhall forthwith ſend to the Waywardens of the Pariſh of *Clarendon*, and the other to the Way-wardens of St. *Elizabeth*'s, with their ſtrict Orders to each and every of them in Writing, that they reſpectively, as before in this Act is appointed, immediately proceed to the cutting down and clearing the ſaid Highway, ſo as the ſame may be compleated and finiſhed within Eighteen Months after the paſſing the ſaid Act: And for the better doing and effecting thereof, the ſaid Way-wardens of the ſaid ſeveral Pariſhes, and every of them reſpectively, are hereby authoriſed to iſſue out their Warrants to the Conſtables and Tythingmen, to warn the Inhabitants of the ſaid Pariſhes to furniſh ſuch Numbers of able Negroes or Slaves, together with ſuch a Number of white Men-drivers to overſee them, as ſhall be appointed by the Juſtices and Veſtry of each reſpective Pariſh, together with ſuch Tools, Proviſions and other Neceſſaries, as ſhall be thought by them neceſſary for carrying on the ſaid Work, and finiſhing the ſame within the Time hereby limited and appointed, as aforeſaid: And whoſoever ſhall fail to ſend in his or her Proportion of Workers, with ſuch Tools as ſhall be convenient, ſhall for every Head pay Three Shillings *per* Day upon Conviction thereof; to be recovered before any Juſtices of the Peace by the Surveyors reſpectively; any thing in this, or any other Act to the contrary thereof notwithſtanding. Copies of the Surveyors Return to be ſent to the Way-wardens of the Two Pariſhes, &c.

VI. And if the ſaid Way-wardens, or any of them, ſhall refuſe to do, or neglect his or their Duty in cutting or clearing the ſaid Highway to the Extent of their reſpective Bounds, as hereby is appointed, he or they ſo offending ſhall reſpectively forfeit the Sum of Fifty Pounds, current Money of this Iſland: And in caſe the ſaid intended Highway ſhall be neglected, and not maintained in good Repair by ſucceeding Way-wardens, he or they that ſhall ſo offend therein, ſhall reſpectively lie under the Pains and Penalties provided in an Act of this Iſland, entituled, *An Act for the Highways:* And if any Commiſſioner, Juſtice, or Surveyor, by this Act appointed, ſhall neglect his or their Duty, touching the Premiſſes, or any Part thereof, he or they ſhall reſpectively forfeit the Sum of Fifty Pounds: And if any Veſtryman, Conſtable, or Tythingman ſhall neglect his or their Duty, they ſhall reſpectively forfeit Twenty Pounds; all which ſaid Forfeitures ſhall be one Half to the Informer, or to him or them that ſhall ſue for the ſame; the other Half to the Church-wardens of each of the reſpective Pariſhes, to the Uſe of the ſaid Highways: And all other Forfeitures, not exceeding Forty Shillings, ſhall be recovered by the Church-wardens of the ſaid Pariſhes reſpectively, by Action of Debt before any Juſtice of the Peace; and if above Forty Shillings, in any Court of Record of this Iſland, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed, or *Non vult ulterius proſequi* be entered; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding. Way-wardens, &c. neglecting their Duty, forfeit 50 *l.*

1705. *An Act for eſtabliſhing Courts at* Kingſton, *and exempting Packet-Boats from the Duty of Gunpowder.*

Act 51. WHEREAS many Gentlemen, Merchants, and others, have lately ſettled, and do now reſide and trade at *Kingston*; and whereas the ſettling of Quarter-ſeſſions and Courts of Common-Pleas may conduce very much to the Uſe and Advantage of the Inhabitants, and to the Encouragement of Trade there; be it therefore enacted and ordained by her Majeſty's Governor, the Council and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That for the Eaſe of the Merchants and Trading People of the ſaid Town of *Kingston*, there be erected, eſtabliſhed, and held in the ſaid Town a Quarter-ſeſſions for the Conſervation of the Peace, and a Court of Common-Pleas, with the ſame Power and Authority, to all Intents and Purpoſes, that is or hath been held or exerciſed at *Port Royal*; which ſaid Court ſhall be held the firſt time the firſt *Wedneſday* in *September*, in this preſent Year One thouſand ſeven hundred and five, and afterwards every two Months; and the Seſſions every three Months, the firſt Seſſions on the firſt *Tueſday* in *Auguſt*, and ſo every Three Months.

A Court of Common-Pleas, &c. at *Kingston*.

II. And whereas a certain enacting Clauſe for the preventing of the Uſe of Shingles brought from the Northward, which ſaid Clauſe is contained in an Act, entituled, *An Act to prohibit the keeping of any Quantity of Gunpowder on* Port Royal; *and for the better Security of the ſaid Town: And to enable Freeholders to chooſe Church-wardens, Veſtrymen, and other Parochial Officers, although the Time for chooſing thereof be elapſed already*, hath been found inconvenient to the Inhabitants of *Port Royal* aforeſaid; be it therefore enacted by the Authority aforeſaid, That the ſaid Clauſe, and all and every the Matters and Things therein contained, ſhall be and are hereby repealed, annulled, and made void, to all Intents, Conſtructions and Purpoſes; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Clauſe in a former Act repealed.

III. And whereas her Majeſty hath been graciouſly pleaſed to appoint Packet-Boats to ſail frequently from her Majeſty's Kingdom of *England* to her Majeſty's Plantations and Colonies in the *Weſt Indies*, whereby a conſtant Correſpondence is held, to the great Advantage of this Iſland: And whereas ſuch Packet-Boats, as well as all other Veſſels are obliged to pay a Duty of Gunpowder to the Receiver-General, which is a heavy Impoſition on ſuch Packet-Boats; be it therefore enacted by the Authority aforeſaid, That the Packet-Boats at preſent here, and all ſuch other Packet-Boats as ſhall hereafter arrive, ſhall be and are hereby exempted from the Payment of all ſuch Duty of Gunpowder; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Packet-Boats exempted from the Duty of Gunpowder.

1706-7. *An Act for the Encouragement of good and able Miniſters to come to this Iſland.*

Act 52. WHEREAS there is an Act of this Iſland, entituled, *An Act for the Maintenance of Miniſters and the Poor, and erecting and repairing of Churches*, in which there is not a ſufficient Proviſion made to encourage learned and pious Men to come and to reſide in the ſeveral Pariſhes of this Iſland: For the better Encouragement therefore of good and orthodox Divines, duly qualified as the Law directs, that now reſide in, or hereafter ſhall come to this Iſland, for the Promotion of Piety, Religion, and Virtue; be it enacted by the Governor, Council, and Aſſembly of this Iſland of *Jamaica*, and it is hereby enacted and ordained by the Authority of the ſame, That the Miniſters of each reſpective Pariſh hereafter mentioned ſhall receive of the Church-warden or Church-wardens of each reſpective Pariſh ſuch Sums of Money as is hereafter directed, every Six Months, by equal Portions; to be raiſed and collected as in and by the ſaid Act, en-

The Sum of Money to be paid by every Pariſh to their Miniſter.

entituled, *An Act for the Maintenance of Miniſters and the Poor, and erecting and repairing of Churches*, is directed, *viz.* 1706-7.

II. To the Miniſter of the Pariſh of St. *Catharine* ſhall be allowed, raiſed, collected, and paid, the Sum of One hundred and fifty Pounds *per Annum*, current Money of this Iſland: Provided nevertheleſs, if the Juſtice and Veſtry ſhall think fit, for the Encouragement of an able Divine, it ſhall and may be lawful for them to add One hundred Pounds more to his Salary, ſo that the whole Sum exceeds not Two hundred and fifty Pounds *per Annum*. St. *Catharine*'s 150 *l. per Annum*. Proviſo.

III. AND to the Miniſters of the Pariſhes of St. *Thomas in the Vale*, St. *Dorothy*, *Kingston*, *Vere*, and *Clarendon*, ſhall be allowed each One hundred and fifty Pounds *per Annum*: Provided nevertheleſs, if the Juſtices and Veſtry ſhall think fit, it ſhall and may be lawful for them to add Fifty Pounds more to each of their Salaries, ſo that the whole exceed not Two hundred Pounds *per Annum*. St. *Dorothy*'s, &c. 150 *l.* Proviſo.

IV. And to the Miniſters of the Pariſhes of St. *Andrew*, St. *John*, St. *Thomas to Windward*, St. *David*, St. *George*, St. *Mary*, St. *Anne*, St. *James*, St. *Elizabeth*, and *Weſtmoreland*, ſhall be allowed each One hundred Pounds *per Annum*: Provided nevertheleſs, if the Juſtices and Veſtry ſhall think fit, it ſhall and may be lawful for them to add Fifty Pounds *per Annum* more to each of their Salaries, ſo that the whole exceed not One hundred and fifty Pounds *per Annum*. St. *Andrew*'s, &c. 100 *l.* Proviſo.

V. AND whereas the Inhabitants of ſeveral Pariſhes of this Iſland, by certain Inſtruments in Writing under their Hands and Seals, did oblige themſelves to pay to the Miniſters of their Pariſh certain Sums of Money, as an Addition to their Salary, more than in and by the ſaid Act, entituled, *An Act for the Maintenance of Miniſters and the Poor, and erecting and repairing of Churches*, is allowed and directed: Be it therefore enacted and ordained by the Authority aforeſaid, That all ſuch Perſons who have obliged themſelves to the Payment of any Sums of Money to the Miniſter of any Pariſh for officiating as Miniſter, otherwiſe than is agreeable to this Act, are hereby freed and acquitted from any ſuch Obligation; and that no other Salary ſhall, on any Pretence whatſoever, be raiſed, aſſeſſed, collected, and paid by any Pariſh in this Iſland by the Juſtices and Veſtrymen, or the Juſtices where no Veſtry is, upon the Inhabitants of the ſame, than what is in and by this Act before preſcribed and allowed; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. Agreements formerly made which are not agreeable to this Act, declared void.

VI. AND be it further enacted by the Authority aforeſaid, That when any Miniſter ſhall for the future happen to be preſented to any Pariſh within this Iſland, after the Aſſeſſments for that Year ſhall be laid, that it ſhall and may be lawful for the Juſtices and Veſtry of ſuch Pariſh, and the Juſtices and Veſtry of ſuch Pariſh are hereby required and enjoined, within Twenty Days after due Notice of ſuch Preſentation, to meet at the Pariſh Church, and lay ſuch further Aſſeſſment for the Payment of ſuch Salary as this Act requires. Clauſe for Proviſion of ſuch Miniſters, who are preſented after the Aſſeſſments are laid.

VII. And whereas the Pariſh of *Port Royal* has ſuffered very much by the dreadful Earthquake; and ſince by Fire being reduced to a far lower Eſtate than when the ſaid beforementioned Act was made, that the Inhabitants are not capable to raiſe the Salary as in the ſaid Act is directed; be it therefore enacted by the Authority aforeſaid, That the Juſtices and Veſtry ſhall lay a Tax of One hundred Pounds *per Annum* (provided, that the Juſtices and Veſtry have Power to raiſe the Sum of Fifty Pounds more if they think fit) for the Maintenance of their Miniſter who ſhall officiate there: And it ſhall and may be lawful for the ſaid Juſtices and Veſtry, and they are hereby required to raiſe a further Sum of One hundred Pounds *per Annum*, to be paid by the Church-wardens of the ſame, in equal Proportions, to *Philip Bennet*, as Rector of the ſaid Pariſh, during his Life and Reſidence in this Iſland, notwithſtanding his Diſability, by Age and Sickneſs, to officiate there. Pariſh of *Port Royal* ſhall lay a Tax of 100 *l. per Annum* for the Maintenance of their Miniſter, &c.

VIII. AND be it further enacted by the Authority aforeſaid, That no Perſon whatſoever, though duly qualified, and obtaining the ordinary Preſentation for any Pariſh within this Iſland, ſhall aſk, demand, or take any Sum or Sums of Money for any further or longer Time than he ſhall actually officiate as Miniſter of the ſaid Pariſh (Sickneſs only excepted); any Law, Cuſtom, or Uſage to the contrary notwithſtanding. No Miniſter to demand Money of any Pariſh, but for the Time he officiates there.

An

1709. *An Act for the further and better ſecuring* Port-Royal.

Act 53. WHEREAS the Quays and Shoals at *Port Royal* are, by Experience, found to be a very great Safeguard to the Town and Fortifications there erected, which Quays and Shoals are daily leſſened, by ſeveral Perſons carrying away the Stones and Sand from thence, the Continuance of which may in the End prove very fatal and deſtructive to the Place: Be it therefore enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted by the Authority of the ſame, That no Stones, Shells, Gravel, or Sand ſhall be taken up and carried away by any Perſon or Perſons whatſoever, their Slaves or Servants, from any Quays or Shoals from between *One Buſh Quay* to the *Eaſtermoſt Quay* ſo called, or within the Space or Compaſs of Three Miles without or within the ſaid Quays or either of them, under the Penalty of the Forfeiture of ſuch Boat or Canoe in which ſuch Stones, Shells, Gravel, or Sand ſhall be ſo carried off; to be recovered againſt the Party or Parties ſo offending contrary to the true Intent and Meaning of this Act, their Maſters or Employers, by Warrant, upon Conviction before any Juſtice of the Peace of the Precincts; which Boat or Canoe ſo forfeited, ſhall be adjudged to belong to the Party or Parties that ſhall inform or proſecute for the ſame within Twenty Days after the Fact committed; any Law, Statute, or Uſage to the contrary in any wiſe notwithſtanding.

No Stones, &c. to be dug out of *Port Royal* Quays.

Proviſo. II. Provided nevertheleſs, That nothing in this Act contained ſhall be conſtrued to extend to hinder any Perſon from taking up Stones to the Weſtward or North-weſtward of the Leewardmoſt Channel; any thing herein contained to the contrary notwithſtanding.

III. And whereas the preſerving the Harbour of *Port Royal* is of the greateſt Conſequence to the Trade of this Iſland; be it further enacted by the Authority aforeſaid, That no Perſon or Perſons whatſoever ſhall, from and after the paſſing this Act, either voluntarily or through Neglect, cauſe or ſuffer any Ship or Veſſel to ſink or be ſunk in any other Part or Place within the ſaid Harbour, except between the *Round Tower* and the *Paliſadoes*, under the Penalty of One hundred Pounds of current Money of this Iſland: One Moiety, or Half-part, ſhall be to her Majeſty, her Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; the other Moiety to him, her, or them that ſhall ſue for the ſame in the Supreme Court of Judicature of this Iſland, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed, or more than one Imparlance granted, or *Non vult ulterius proſequi* ſhall be entered; any Law, Statute, or Uſe to the contrary notwithſtanding.

Nor Ship, &c. be ſuffered to be ſunk there.

An Act appointing Way-wardens, regulating Wharfage, and buoying out the Channel between Port Royal *and* Kingſton.

Act 54. WHEREAS the Inhabitants of the Town and Pariſh of *Kingston* are not qualified to elect Surveyors of the Highways, according to an Act, entituled, *An Act for the Highways*, made in the Thirty-ſecond Year of the Reign of his late Majeſty King *Charles* the Second; whereby the ſaid Town cannot be kept ſo clean and healthful as it ought to be: Be it therefore enacted and ordained by her Majeſty's Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That it ſhall and may be lawful to and for the Juſtices and Freeholders of *Kingston* aforeſaid, who are hereby required and obliged, every Year when they ſhall firſt meet to lay their Pariſh-tax, to elect and chooſe Two or more Inhabitants of *Kingston* aforeſaid to be Way-wardens in the ſaid Town, although not qualified according to the Directions of the ſaid Act; who are hereby ordered and empowered to ſummon and warn the Pariſhioners and Inhabitants of the ſaid Pariſh to ſend Negroes and other

Juſtices, &c. of *Kingſton* may chooſe two Way-wardens for cleanſing their Streets, &c.

other fit Perſons with Pick-axes, Spades, and other Things neceſſary, at ſuch Time and Times as they ſhall think convenient, for the cleanſing, repairing, and amending of the Roads, Streets, Lanes, Alleys, and publick Places of the ſaid Town, and for the carrying away of the Dirt, Filth, and other Annoyances therein, to ſuch Place or Places as to the ſaid Way-wardens ſhall ſeem meet and convenient, for the Health of the Inhabitants, and keeping clean the ſaid Place; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. 1709.

Penalty on Way-wardens, &c. neglecting their Duty.

II. And if any Way-warden neglects his Duty, touching the Premiſſes, or any Part thereof, he ſhall forfeit the Sum of Ten Pounds for every ſuch Offence: And every Freeholder, Pariſhioner, or Inhabitant, that being duly warned, ſhall neglect his or their Duty in ſending ſuch Negroes and others, according as they ſhall be appointed by the ſaid Way-wardens, ſhall forfeit Forty Shillings for each Offence; to be recovered in ſuch Manner as other ſmall Debts not exceeding Forty Shillings are recoverable within this Iſland.

Owner of Wharfs to enter all Goods landed there, &c. in a Book,

III. And be it further enacted by the Authority aforeſaid, That all Perſons keeping publick Wharfs or Bridges at *King ſton* aforeſaid, ſhall be obliged to keep a Book wherein he, ſhe, or they ſhall fairly enter the Marks and Numbers of all ſuch Goods as ſhall be landed on his, her, or their Wharf or Wharfs, Bridge or Bridges; and alſo the Name or Names of the Veſſel or Veſſels out of which the ſaid Goods ſhall be taken; and alſo to take a Receipt of the Perſon or Perſons to whom the ſaid Goods ſhall be delivered.

and if they receive Money for Goods ſo landed, the Wharf to be deemed common.

IV. And if any Owner or Owners of the ſaid Wharf or Wharfs, Bridge or Bridges have or ſhall receive Payment for any Goods landed on their ſaid Wharf or Wharfs, Bridge or Bridges, or any Veſſel lying and delivering or loading thereat; the ſaid Wharf or Wharfs, Bridge or Bridges, ſhall be deemed and held to be as a publick Wharf or Bridge: And if any Wharfinger ſhall neglect to keep ſuch a Book, and to make ſuch Entries as aforeſaid, ſuch Wharfinger ſo neglecting his or their Duty therein, ſhall forfeit for every ſuch Offence the Sum of Ten Pounds; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

The Prices to be paid for Goods landed there.

V. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any Owner or Owners of any Wharf or Wharfs, Bridge or Bridges, as aforeſaid, from and after the Firſt Day of *May*, in this preſent Year of our Lord One thouſand ſeven hundred and nine, to demand and receive of all and every Perſon or Perſons whatſoever, landing any Goods on his, her, or their Wharf or Wharfs, Bridge or Bridges, the Rates hereafter mentioned, and no other, on Penalty of Forty Shillings for each Offence, *viz.*

VI. For each Hogſhead of Sugar, or other Goods of the Product of this Iſland, the Sum of One Shilling and Six-Pence, for Landing, Wharfage, Covering, Weighing, and Shipping off.

VII. And for Indico, Cotton, Piemento, and Ginger, in Bag or ſmall Caſk, Three Halfpence *per* Hundred, for Landing, Wharfage, and Weighing; and the like Sum of Three Halfpence *per* Hundred for Shipping off again.

VIII. And for Wharfage and Weighing off each Ton of Logwood, and all other Woods for the Dyers Uſe, the Sum of Fifteen Pence; and the like Sum of Fifteen Pence for every Ton, for Weighing and Shipping off the ſame.

IX. And for each Ton of *Europeaan* Goods landed, or Goods from *North America*, or the *Weſtern Iſlands*, Two Shillings and Six-Pence *per* Ton, *Jamaica* Tonnage; and the like Sum of Two Shillings and Six-Pence *per* Ton for Shipping off the ſame again.

X. And for Cocoa, Sarſaparilla, and Jeſuits Bark, the Sum of Three Half-Pence *per* Hundred.

XI. And for Salt, a Halfpenny *per* Buſhel.

Wharfinger to provide Sheds to defend Goods from the Weather.

XII. And each Wharfinger is hereby obliged to keep a Crane, Sheds and Tarpaulins, for ſecuring of Goods landed upon their Wharf or Wharfs, Bridge or Bridges, from the Weather, on Penalty of forfeiting the Sum of Forty Shillings for every Default, and be further liable to an Action at Law for whatever Damages ſhall be done to any Goods on their ſaid Wharf or Wharfs, Bridge or Bridges, and alſo for whatever Goods ſhall be loſt or ſtolen therefrom; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding.

1709.

No Wrecks to be ſunk, or Ballaſt thrown into the Harbour.

XIII. And whereas the ſinking of Wrecks is very pernicious to the Road of *Kingſton*; be it therefore enacted by the Authority aforeſaid, That no Wreck or Wrecks, from and after the Firſt Day of *May*, in the Year of our Lord One thouſand ſeven hundred and nine, be ſunk, or Ballaſt thrown into the ſaid Road to the Eaſtward of the Weſt End of the Town of *Kingſton*, nor to the Weſtward of the Eaſt Part of the Town of *Kingſton*, other than what is already ſunk or thrown into the ſaid Road, under the Penalty of forfeiting the Sum of One hundred Pounds for every ſuch Offence, and be further liable to remove the ſame: Provided, That it ſhall and may be lawful to and for the Juſtices in Seſſions to give Leave to any Perſon or Perſons to ſink any Wreck or Wrecks in any Part of the ſaid Road that may be by them thought moſt convenient, for the careening of Ships and Veſſels, and not otherwiſe; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Proviſo.

Penalty on throwing Squibs, &c. in the Town of *Kingſton*.

XIV. And whereas the throwing of Squibs, Serpents, Rockets, or other Fire-works, may happen to be very prejudicial to the Inhabitants of the ſaid Pariſh, and ſeveral Merchants and others intruſting their Goods and Effects there: For the Prevention of which, be it therefore further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall, from and after the Firſt Day of *May*, in the ſaid Year of our Lord One thouſand ſeven hundred and nine, by themſelves or white Servants, throw any Squibs, Serpents, Rockets, or any other Fire-works, in any Street, Lane, or Alley, within the Town of *Kingſton*; every ſuch Perſon ſo offending ſhall forfeit the Sum of Forty Shillings for every ſuch Squib, Serpent, Rocket, or other Fire-work ſo thrown; to be recovered before any Juſtice of the Peace of the ſaid Pariſh, in ſuch Manner as other ſmall Debts are recoverable (not exceeding Forty Shillings) within this Iſland; one Half of which Forfeiture ſhall be to the Uſe of the Informer, and the other to the Church-wardens for the Time being, to and for the Uſe of the Poor of the ſaid Pariſh, or whatever other charitable Uſe the Juſtices and Veſtry of the ſaid Pariſh ſhall think fit.

Negroes Puniſhment for throwing Squibs, &c.

XV. And whatever Mulatto, *Indian*, or Negro, being Slaves, ſhall preſume to throw or make Uſe of any Squib, Serpent, Rocket, or other Fire-work within the ſaid Town, as aforeſaid; it ſhall and may be lawful for any Conſtable of the ſaid Pariſh immediately to ſeize and take up ſuch Mulatto, *Indian*, or Negro ſo offending, and him or them to carry to the publick Whipping-place of the ſaid Town, and there to order ſuch Mulatto, *Indian*, or Negro to receive on his bare Back Thirty-nine Laſhes, and no more; which every Conſtable is hereby required to ſee done and performed, under the Penalty of forfeiting Forty Shillings for every ſuch Neglect; to be recovered before any Juſtice of the Peace in ſuch Manner as aforeſaid; one Half of which Forfeiture ſhall be for and to the Uſe of the Informer, the other Half to the Church-wardens for the Time being, for the Uſe of the Poor of the ſaid Pariſh; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

The Channel of *Kingſton* may be buoyed or ſtaked out.

XVI. And be it alſo further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Town and Pariſh of *Kingſton*, from Time to Time, and as often as there ſhall be Occaſion, to buoy or ſtake out the Channel between *Kingſton* and *Port Royal*, at the Coſts and Charges of the Pariſh of *Kingſton* aforeſaid.

Penalty on Perſons pulling up ſuch Buoy or Stake.

XVII. And be it alſo further enacted, That whatſoever Perſon or Perſons, by him or themſelves, or his or their Servant or Servants, ſhall willingly or maliciouſly cut away any ſuch Buoy or Stake, or pull up the ſame, every ſuch Perſon or Perſons ſo offending, ſhall for every ſuch Buoy or Stake pulled up or cut away as aforeſaid, forfeit the Sum of Fifty Pounds; one Half of which Forfeiture ſhall be to the Uſe of her Majeſty, her Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof, and the other Half to him or them that ſhall ſue for the ſame in the Supreme Court of Judicature in this Iſland.

Diſpoſition of Forfeitures.

XVIII. And be it further enacted by the Authority aforeſaid, That all Penalties in this Act, and not mentioned how to be diſpoſed of, or how recovered, ſhall be one Half to her Majeſty, her Heirs and Succeſſors, for and towards the Support

Support of the Government of this Iſland, and the contingent Charges thereof, and the other Half to the Informer, or him or them that ſhall ſue for the ſame; to be recovered in her Majeſty's Supreme Court of Judicature in this Iſland, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed, or *Non vult ulterius proſequi* entered; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding. 1709.

An Act for dividing the common or ſalt Savanna, in the Pariſh of Vere.

Act 55.

WHEREAS our late Sovereign Lord King *Charles* the Second, by his gracious Letters Patent under the Great Seal of this Iſland, bearing Date the Twentieth Day of *January*, which was in the Thirty-ſixth Year of his Reign, for the Conſiderations therein mentioned, did give and grant unto *Robert Varney*, late of the Pariſh of *Vere*, Eſq; and his Heirs for ever, a certain Parcel of Land, lying and being in the ſaid Pariſh of *Vere*; containing by Eſtimation Two thouſand and ſix hundred Acres, commonly called *The common or ſalt Savanna* (there being included in the Plat thereof Seven hundred Acres, formerly patented by *Robert Smart* of the ſaid Pariſh; as likewiſe ſixty Acres, formerly patented by *Arthur Goodwin*, of the ſaid Pariſh; in all Three thouſand three hundred and ſixty Acres; bounding then North-eaſterly upon Capt. *John Goddard*, under the *Brazileto* Mountain; North-weſt on *John Downer* and *Samuel Gale*; Weſterly, upon Col. *William Wy*, the King's Road, *Arthur Turner*, *George Oſborne*, *Edward Green*, *Edward Brumpfield*, *Robert Barriffe*, *Richard Twarton*, and Capt. *Chriſtopher Horner*; South, on the ſaid *Horner* and *Richard Barriffe*; Eaſterly, on Mr. *John Lory*, Capt. *Horner*, ; the Sea and Moraſs, *Robert Windall*, *Peter Killby*, and *John Loyd*; North-eaſterly, on *Valentine Munby*; and Eaſt, on Capt. *Henry Rymes*, as by the Plat thereof to the ſaid Patent annexed appears) to have and to hold the ſame Premiſſes, with their and every of their Appurtenances, unto him the ſaid *Robert Varney*, his Heirs and Aſſigns for ever, under ſuch Rents, Proviſoes, Conditions, and Services, as are therein and thereby more particularly expreſſed and ſet forth: And whereas the ſaid Two thouſand and ſix hundred Acres of Land were patented by the ſaid *Robert Varney* in his Name, in Truſt only for and at the ſpecial Inſtance and Requeſt of ſeveral of the Inhabitants of the ſaid Pariſh, to the Intent that the ſaid *Robert Varney* ſhould give and make a Title unto Thirty-three Acres and a Half, for one Seventy-ſeventh Part of the ſaid Land, be it more or leſs, to each ſuch Inhabitant; which was afterwards by him the ſaid *Robert Varney* accordingly, and purſuant to the ſaid Truſt, given and performed: But in regard, no Diviſion thereof in a legal Manner was then, or at any Time ſince hath been made among the ſaid ſeveral Proprietors, whereby it hath remained and ſtill doth remain as an undivided Intereſt; which hath occaſioned not only ſeveral of the ſaid Proprietors to incloſe, fall, and manure greater Quantities of the ſaid Land than their Shares or Proportions have amounted to, but ſeveral other Perſons who have not any manner of Intereſt in, or the leaſt Colour of Pretence of Right unto the ſaid Land or any Part thereof, to incloſe, fall, and manure ſeveral Parcels of the ſaid Land, and to make great Sums of Money, and other Advantages thereby, contrary to all Law and Juſtice, and to the Prejudice of all the ſaid Proprietors: And whereas a Diviſion of the Land by a regular Courſe of Law, by reaſon of the great Number of Parties intereſted therein, and for ſeveral other Cauſes, is rendered almoſt, if not altogether impracticable; be it therefore enacted by the Governor, Council, and Aſſembly of this her Majeſty's Iſland of *Jamaica*, and it is hereby enacted by the Authority of the ſame, That the Hon. *Henry Low*, *Richard Aldeburgh*, *John Carver*, *Edward Fearon*, and *James Rule*, Eſqrs. be, and are hereby appointed Commiſſioners for to view and inſpect the ſeveral and reſpective Titles of the Proprietors of the ſaid Land, to cauſe a juſt and equal Diviſion of the ſame to be made unto the ſaid Proprietors, according to the true Intent and Meaning of this Act; which ſaid Commiſſioners being firſt ſworn ſo to do by the Chancellor of this Iſland, or ſuch Perſon or Perſons as he ſhall by *Dedimus* appoint to adminiſter the ſaid Oath,

Commiſſioners to inſpect the Titles of the Proprietors of the ſaid Lands, and to cauſe them to be equally divided amongſt them;

1709. Oath, are hereby impowered to appoint and adminiſter an Oath unto any Two ſuch honeſt able Surveyors as they or the major Part of them ſhall approve, to make a juſt and equal Diviſion of the ſaid Land, according to the Directions of this Act.

that each Proprietor may have his Share of the good and bad Land.

II. And foraſmuch as the beſt and moſt valuable Part of the ſaid Land lies together, and may be with the greateſt Eaſe and Convenience diſtinguiſhed, divided, and ſeparated entirely and apart from that which is much more ordinary, and of leſs Value; the ſaid Surveyors are hereby impowered and required to make ſuch diſtinct Diviſion, taking into each Diviſion ſuch a Quantity or Number of Acres as the Commiſſioners in their Judgments ſhall direct: Which Diviſion into Two Parcels being firſt made, the Surveyors ſhall proceed to divide again each of the ſaid Two Parcels into Seventy-ſeven equal Parts, that each Proprietor may have his Proportion of the good and bad Land; which ſaid Diviſion being made, as aforeſaid, and each Seventy-ſeventh Part of the ſaid reſpective Parcels of Land having a particular Number aſſigned thereto, the ſaid Commiſſioners, or the major Part of them, ſhall cauſe Seventy-ſeven Pieces of Paper, of equal Shape and Bigneſs to be numbered, from Number One to Seventy-ſeven, and put into or under ſome proper Covert; from whence the ſaid Proprietors ſhall draw the ſaid Pieces of numbered Papers, which ſhall determine each Share of Land of the ſame Number to ſuch Proprietor that ſhall happen to draw the ſame; and the ſaid Commiſſioners, or the major Part of them, ſhall make Aſſignment of each ſuch Share according to the reſpective Lots or Numbers ſo drawn.

When more Claimers than one ſhall appear to have Right to but one full Share of Land, one of the ſaid Proprietors to draw a Lot for it.

III. And foraſmuch as the Number of Proprietors whoſe Title ſhall appear to be approved of by the ſaid Commiſſioners, or the major Part of them, may be different from that of the ſaid Vendees of the aforeſaid Patentee; and for the avoiding any Confuſion that may happen thereby, it is hereby enacted and ordained by the Authority aforeſaid, That in caſe, and whenever more Claimers than one ſhall appear to have Right and Title to but one full Share, or Seventy ſeventh Part, containing Thirty three Acres and a Half, be the ſame more or leſs; that then, and in ſuch Caſe, the ſaid Commiſſioners ſhall direct and appoint one of the ſaid Proprietors to draw a Lot for one full Share; which ſaid Lot ſo being drawn, the ſaid Commiſſioners, or the major Part of them, ſhall cauſe the ſaid full Share to be divided by the ſaid Surveyors into ſuch and ſo many diſtinct Parts as the ſaid ſeveral Proprietors of the ſaid full Lot ſhall appear to have a Right and Title to.

Commiſſioners Allowance;

IV. And it is hereby further enacted by the Authority aforeſaid, That the ſaid Commiſſioners ſhall have and receive for each Day they ſhall be employed in Execution of this Act, Twenty Shillings each Commiſſioner *per Diem*; to be paid them by the ſeveral Perſons that ſhall claim or have Lots aſſigned them at that particular Time and Place of Meeting, when and where the ſaid Lots ſhall be aſſigned: Which ſaid Commiſſioners are hereby impowered to order and appoint ſuch proportionable Sum or Sums of Money as the ſaid Commiſſioners ſhall think moſt reaſonable for defraying all ſuch further Charges as ſhall ariſe from or be incident to the ſaid Diviſion, Meeting, and Aſſignment: And in like Manner, whenſoever one or more Claimers, Proprietor or Proprietors, ſhall require or occaſion a Meeting of the ſaid Commiſſioners, or the Majority of them, in order to inſpect, view, hear, or determine ſuch their Claim or Claims; that then, and in ſuch Caſe, the ſaid Commiſſioners, or the major Part of them, ſhall appoint and order as well the ſaid Twenty Shillings for each of themſelves as ſuch other the Claimer or Claimers, Proprietor or Proprietors proportionable Part of the Charges of the ſaid Diviſion and Aſſignment, as aforeſaid: And in caſe any ſuch Claimer or Proprietor ſhall refuſe to pay ſuch their proportionable Part of ſuch Charges ſo allotted them by the ſaid Commiſſioners, or the major Part of them; that then, and in ſuch Caſe, the ſaid Commiſſioners, or the major Part of them, are hereby impowered to iſſue out their Warrant to any Conſtable to diſtrain upon the Goods and Chattels of ſuch Perſon or Perſons ſo refuſing to pay, as aforeſaid, and the ſame to ſell by publick Outcry, firſt giving Notice of ſuch Sale at ſome publick Place of the Precinct where ſuch Diſtraint ſhall be made, returning the Overplus (if any ſuch ſhall be) to the Owner, deducting Twelve

Twelve Pence in the Pound to the Conſtable, for ſuch his Diſtreſs and Sale, as aforeſaid. 1709.

who, upon Proof made to them, ſhall aſſign to each Claimer his Part of the Land according to his Lot, &c.

V. AND the ſaid Commiſſioners, or the major Part of them, are hereby further impowered and enabled, upon due and ſatisfactory Proof to them made of the Right, Title, and Property of any Claimer or Claimers, in and to ſuch their proportionable Part of the ſaid Land, and his, her, or their Lot or Lots being duly drawn, to aſſign to each ſuch Claimer ſuch his proportionable Part or Parts of the ſaid Land, as by his, her, or their Lot or Lots ſhall befal unto him or them, mentioning the ſeveral Buttings and Boundings of the ſaid proportionable Part or Parts ſo aſſigned; which ſaid Aſſignment is hereby declared to inveſt the Fee-ſimple of the ſaid proportionable Part or Parts ſo aſſigned in him, her, or them, to all Intents and Purpoſes whatſoever; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding.

Commiſſioners may value Indigo Works, &c. erected on the Lands, and award ſo much as they are worth to the Owners of them,

VI. AND foraſmuch as ſeveral Perſons that may appear to have a Right to and Intereſt in ſome Part or Share of the ſaid Land, having Confidence of ſuch their Right and Intereſt, have erected Buildings, made Indigo Works, Wells, and other Improvements, on ſeveral Parts of the ſaid Land; which ſaid Parts or Shares may probably by Lot happen, befal, and be aſſigned over unto ſome other Claimer and Proprietor; it is therefore hereby further enacted, That the ſaid Commiſſioners, or the major Part of them, be impowered, and are hereby impowered to value and eſteem ſuch Buildings and Indigo Works, Wells, or other Improvements, as they ſhall think them reaſonably worth; and to award ſuch Sum or Sums of Money to be paid to him, her, or them that ſhall have erected ſuch Buildings, made ſuch Indigo Works, Wells, or other Improvements, as aforeſaid, by him, her, or them to whom the ſaid Shares ſhall by Lot befal and be aſſigned, as the ſaid Commiſſioners, or the major Part of them, ſhall value and eſteem the ſaid Buildings, Indigo Works, Wells, or other Improvements, to be reaſonably worth: And upon Refuſal of ſuch Payment by the Party or Parties ſo awarded to pay the ſame, that then, and in ſuch Caſe, the ſaid Commiſſioners are hereby impowered to iſſue out their Warrants of Diſtreſs for the ſaid Sum or Sums of Money ſo awarded to be paid in lieu and full Aſſurance of ſuch Buildings, Indigo Works, Wells, or other Improvements, as they are before impowered for the defraying the Charges incident to the Diviſions and Aſſignment, as aforeſaid.

and appoint Surveyors to lay out the ſaid Lands, &c.

VII. AND to the Intent that the ſaid Diviſions and Aſſignments may be timely executed and performed, according to the true Intent and Meaning of this Act; it is therefore further enacted, That the Commiſſioners, or the major Part of them, be hereby impowered and required to meet at ſuch Place as they ſhall think convenient on the ſecond *Tueſday* in *June* next enſuing, then and there to appoint the ſaid Surveyors; which ſaid Surveyors ſo appointed, ſhall, upon due Notice given them by the ſaid Commiſſioners, or the major Part of them, of the certain Time and Place, and when and where they ſhall attend the ſaid Commiſſioners, in order to their being ſworn, and laying out and dividing the ſaid Land, according to the Directions and true Intent and Meaning of this Act, are hereby required to attend accordingly: And at all Times hereafter the ſaid Surveyors ſhall attend the ſaid Commiſſioners, at ſuch Times and Places as they the ſaid Commiſſioners, or the major Part of them, ſhall appoint.

Publick Notice to be given of their Meetings.

VIII. AND the ſaid Commiſſioners are hereby further impowered and required to give Notice at ſome publick Place in the Pariſh of *Vere*, whenever they intend to meet in the ſaid Pariſh, in order to inſpect and view the Titles of the ſeveral Claimers, and make Aſſignments of the ſaid Land, Five Days before the ſaid ſeveral and reſpective Times of Meeting.

Proviſo.

IX. PROVIDED nevertheleſs, That nothing in this Act contained ſhall extend to prejudice or deſtroy the Right, Title, or Intereſt of the aforeſaid *Robert Smart*, his Heirs, or Aſſigns, in and to Seven hundred Acres of Land; and of the aforeſaid *Arthur Goodwin*, his Heirs and Aſſigns, in and to Sixty Acres of Land, included in the Plat of the aforeſaid Two thouſand ſix hundred Acres of Land, as is before ſpecified.

Commiſſioners, if ſued, may plead this Act in Juſtification of themſelves.

X. AND be it further enacted by the Authority aforeſaid, That in caſe the aforeſaid Commiſſioners, or any one of them, ſhall be ſued or impleaded for any thing

1709. thing that he or they ſhall act or do, by virtue and in purſuance of, and in compliance with this Act, it ſhall and may be lawful for the ſaid Commiſſioners, or any of them, to plead the General Iſſue, and give this Act in Evidence, which ſhall be allowed as good and valid, to all Intents and Purpoſes whatſoever, in bar of ſuch Suit or Action, in any of her Majeſty's Courts of Record in this Iſland; any Law, Cuſtom, or Uſage to the contrary thereof notwithſtanding.

Penalty on Surveyors neglecting their Duty.

XI. And be it further enacted by the Authority aforeſaid, That if any Surveyor or Surveyors, Conſtable or Conſtables, ſhall neglect his or their Duty, as in this Act is required, they ſhall reſpectively forfeit the Sum of One hundred Pounds; to be recovered in her Majeſty's Supreme Court of Judicature in this Iſland; one Half of which Forfeitures ſhall be to our Sovereign Lady the Queen, her Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Half to the Informer, or him or them that ſhall ſue for the ſame, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed, or *Non vult ulterius proſequi* be entered; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

1711.

An Act for regulating Fees.

Act 56. WHEREAS notwithſtanding the Act for regulating Fees, ſeveral Officers of this Iſland have introduced ſeveral new Fees, and taken greater and other Fees than ſuch as were allowed by the ſaid Act; to the great Oppreſſion of the Inhabitants of this Iſland: For the Prevention whereof for the future, be it enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted and ordained by the Authority of the ſame, That the Fees of the ſeveral Offices and Officers in this Iſland ſhall be as follows, *viz.*

No Officer to take any other Fees than what are hereby allowed.

Secretary's Fees.

II. To the Secretary, for recording a common Patent for one or more Parcels of Land, five Shillings.

III. For an Eſcheat Patent, ſeven Shillings and ſix Pence.

IV. Each Plat, one Shilling and three Pence.

V. Recording a Deed, the Length of a common Patent, for Land, five Shillings.

VI. And if longer, eight Pence *per* Sheet, containing twenty Lines, and eight Words to each Line.

VII. Recording Wills, Inventories, Preſentations, Prieſts Teſtimonials, Naturalizations, and Letters of Attorney at the ſame Rate.

VIII. For all Copies, the ſame as recording.

IX. For each Bond for Aliens Ships, ten Shillings.

X. Taking Bonds on Ships Entries, five Shillings.

XI. Certificate to the Naval-Officer thereof, one Shilling three Pence.

XII. If a Regiſter to be ſworn to, one Shilling three Pence.

XIII. Each Wine Licence, ſixteen Shillings three Pence.

XIV. And Bond to it, one Shilling three Pence.

XV. Marriage Licences, and Bonds to them, ſeventeen Shillings ſix Pence.

XVI. Each Proteſt, under Hand and Seal, ten Shillings.

XVII. Beſides travelling Charges, at one Shilling and three Pence *per* Mile.

XVIII. For obtaining the Governor's Atteſtation, if required thereto, five Shillings.

XIX. Certifying Bills of Lading, and Atteſtations thereto, ſix Shillings three Pence.

XX. Recording Slaves Freedoms, one Shilling three Pence.

XXI. Searching and acknowledging Satisfaction, each one Shilling three Pence.

XXII. Dockets, one Shilling three Pence.

XXIII. For each Let-paſs, five Shillings.

XXIV. Tickets to go off this Iſland, two Shillings ſix Pence.

XXV. Tickets to go off this Iſland without Bonds, five Shillings.

XXVI. Per-

1711.

XXVI. Permits for Ships bound away, one Shilling three Pence.

XXVII. Permits for Iſland Veſſels, which are to be delivered at *Kingston* or *Port Royal* on Demand, ſeven Pence Halfpenny.

XXVIII. Putting up Names and Underwritings at each Place, ſeven Pence Halfpenny.

XXIX. Taking and recording Renunciations, ten Shillings.

XXX. Citations, each Name, two Shillings ſix Pence.

XXXI. Guardianſhips and Bonds, eighteen Shillings nine Pence.

XXXII. Caveats, ſeven Pence Halfpenny.

XXXIII. Probats of Wills, ten Shillings.

XXXIV. *Dedimus*, and recording, ten Shillings.

XXXV. Letters of Adminiſtration, and Warrants of Appraiſement, with Bonds, each ſeven Shillings ſix Pence.

XXXVI. And whereas it is neceſſary, for the Eaſe and Security of all her Majeſty's Subjects, that all Deeds, and other Writings brought into the ſaid Office, ſhould be recorded in a prefixed Time; be it further enacted by the Authority aforeſaid, That the Secretary, his Deputy or Deputies, Clerk or Clerks, ſhould immediately, upon bringing of any Deeds, or other Writings into the ſaid Office, ſign and give a Receipt under his Hand to the Perſon or Perſons bringing ſuch Deeds or Writings, and demanding the ſame, for which he ſhall and may demand ſeven Pence Halfpenny, and no more; and paying for recording the ſame, ſhall be obliged to give a Receipt for the Money ſo paid, and thereupon ſhall immediately underwrite or indorſe upon ſuch Deeds or Writings the Day of their being entered in the Office, or coming to his Hands, as aforeſaid: And that every ſuch Deed, or other Writing, ſhall be recorded fairly at Length within fifty Days after the ſame ſhall be brought into his Office, or delivered into the Hands of the Secretary, or his Deputy, as aforeſaid, under the Penalty of Fifty Pounds for every Neglect or Default, contrary to the true Intent and Meaning hereof; and that every ſuch Deeds, or other Writings, ſo entered as aforeſaid, ſhall be deemed and taken to be enrolled from the Time of the Entry or Delivery thereof into the Secretary's Office, as aforeſaid; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding.

Secretary to take ſeven Pence Halfpenny, as a Fee, for receiving and recording every Deed brought to him.

XXXVII. And whereas it has happened that ſome of the Laws of this Iſland have been obliterated, and ſometimes loſt, be it enacted by the Authority aforeſaid, That all and every the Acts of this Iſland now in Force, and all others hereafter to be made and paſſed, ſhall be entered and recorded in the Secretary's Office of this Iſland, in a fair Book to be kept for that Purpoſe only, under the Penalty of One hundred Pounds; and ſuch Entry, or true Copy thereof, ſworn to by the Secretary before any Judge of the Supreme or Grand Court, ſhall be deemed and taken to be as valid as the original Act, and pleadable in all or any of her Majeſty's Courts of Record in this Iſland: And that the preſent Secretary, or any other Secretary or Secretaries for the Time being, ſhall have and receive Twenty-five Shillings for each Act to be recorded, as aforeſaid, which hath been already paſſed; and for each Act hereafter to be paſſed, Twenty Shillings; to be paid out of the publick Treaſury of this Iſland: And for all Copies, the ſame as recording Deeds and Patents; to be paid for by the Perſon demanding ſuch Copies.

All Acts of this Iſland to be recorded in the Secretary's Office, &c.

XXXVIII. And be it further enacted by the Authority aforeſaid, That the Fees of the Supreme Court ſhall be, *viz.*

Fees of the Supreme Court.

XXXIX. To the Judges for ſigning every Proceſs, one Shilling three Pence.

XL. To the Clerk for a Writ of Summons, Arreſt, Replevin, or Foreign Attachment, one Shilling three Pence.

XLI. For filing a Declaration, and Copy of it annexed to the Writ, two Shillings ſix Pence.

XLII. For a Bond for Foreign Attachment, Arreſts, and Replevins, and upon no other Writ whatſoever, two Shillings ſix Pence.

XLIII. For a Replication, or Rejoinder, two Shillings ſix Pence.

XLIV. For a Common Plea, ſeven Pence Halfpenny.

XLV. For a Special Plea, two Shillings ſix Pence.

XLVI. For recording a Judgment, two Shillings ſix Pence.

XLVII. For

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XLVII. For a *Venire Facias*, ſeven Pence Halfpenny.

XLVIII. For a *Habeas Corpus*, by Order of Court, two Shillings ſix Pence.

XLIX. To the Clerk, for receiving every Verdict and Continuance, each, ſeven Pence Halfpenny.

L. For a *Retraxit*, or Nonſuit recorded, each, one Shilling three Pence.

LI. For a Writ of Poſſeſſion, Seiſin, Reſtitution, each, five Shillings ſeven Pence Halfpenny.

LII. For Executions and Venditions, two Shillings ſix Pence.

LIII. For a *Subpœna*, in which the Names of three Witneſſes may be inſerted, one Shilling three Pence.

LIV. For a Recognizance, or Depoſition taken in Court, one Shilling three Pence.

LV. For entering Satisfaction upon Record, or *Superſedeas*, two Shillings ſix Pence.

LVI. For taxing Coſts, one Shilling three Pence.

LVII. For a Commiſſion of Reference to Auditors, five Shillings.

LVIII. For a Writ of Enquiry, *Scire Facias*, and returning the Record upon Writ of Error, two Shillings ſix Pence.

LIX. For Warrant of Attorney in each Cauſe, as has been uſual, ſeven Pence Halfpenny.

LX. For entering the Report of Auditors, and for the Exemplification of a Record, each, five Shillings.

LXI. For every Judgment confeſſed out of Court to the Clerk, two Shillings ſix Pence.

LXII. For every other Writ iſſuing out of the ſaid Court, one Half to the Judge, the other Half to the Clerk, five Shillings.

LXIII. To the Cryer of the Grand Court for every Witneſs ſworn, ſeven Pence Halfpenny.

LXIV. And for calling out the Defendant, where the Action goes by Default, one Shilling three Pence.

On the Death of a Chief Judge, the next Aſſiſtant Judge may act in his Room.

LXV. And it is further enacted and ordained by the Authority aforeſaid, That in caſe of the Death, or Diſability to act, of any Chief Judge of this Iſland for the future, it ſhall and may be lawful for the next Aſſiſtant Judge to ſign all Writs, and in every thing elſe to act and do for the Expediting and Diſpatch of Juſtice, in as full and ample Manner as the Chief Judge himſelf might or could have done, until a new Judge ſhall be appointed, or the Diſability removed.

Proceſs to be ſerved notwithſtanding the Death of a Provoſt-marſhal.

LXVI. And whereas the like Inconveniencies may happen by the Death of any Provoſt-marſhal of this Iſland, between the Teſt and Return of Writs, ſo as all ſuch Proceſs may be entirely loſt, to the great Delay and Expence of the Subject in reviving ſuch Proceſs; be it therefore further enacted by the Authority aforeſaid, That in caſe of the Death or Removal of any Provoſt-marſhal for the future, ſo as he may be rendered incapable to make Return of Writs, the ſucceeding Provoſt-marſhal is hereby authorized and impowered to make Return of the ſame; and in every thing elſe to act and do as fully and effectually as the preceding Provoſt-marſhal could have done, firſt having given Security to the preceding Provoſt-marſhal, or his Security, to indemnify them, and taking the ſame himſelf of the reſpective Marſhals, and in all other Reſpects qualified himſelf, as by the Law of this Iſland is required; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Clerk of the Supreme Court, &c. not to deliver out any Writ, until a Declaration is filed for the ſame.

LXVII. And be it further enacted and ordained by the Authority aforeſaid, That no Clerk of the Supreme Court, or any other Perſon who ſhall officiate the ſaid Office, ſhall deliver out to any Lawyer, Attorney, Solicitor, or any other Perſon or Perſons, any Writ whatſoever, until a Declaration be filed in the Clerk's Office for the ſame, except Warrants of Arreſts and *Subpœnas*, under the Penalty of Five Pounds for every Writ ſo given out.

Provoſt-marſhal's Fees.

LXVIII. And it is hereby further enacted bythe Authority aforeſaid, That the Provoſt-marſhal's Fees be,

LXIX. For every Commitment and Releaſement, either in Common Law or Chancery, each, two Shillings ſix Pence.

LXX. For Diet and Lodging, as the Priſoner can agree, or to find himſelf; or if the Priſon Allowance, *per* Day, ſeven Pence Halfpenny.

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LXXI. For executing any Writs in the Town of St. *Jago de la Vega*, two Shillings ſix Pence.

LXXII. For an Arreſt on board of Ship, beſides Boat-hire, five Shillings.

LXXIII. And in any other Place, beſides Mile-money, five Shillings.

LXXIV. For exempting a Writ of Poſſeſſion, Seiſin, Writ of *Eſcheat*, *Ceſſavit*, or Aſſignment of Dower or Partition, ten Shillings; and Mile-money after the Rate of ſix Pence *per* Mile, to the Place where the Writ is executed.

LXXV. For ſummoning a Jury to execute a Writ of Poſſeſſion, *Eſcheat*, *Ceſſavit*, or Aſſignment of Dower or Partition, within the Town of St. *Jago de la Vega*, *Kingston*, or *Port Royal*, or within five Miles of any of the ſaid Towns, three Pounds.

LXXVI. If above five Miles, five Pounds.

LXXVII. For the Return of a *Habeas Corpus cum cauſa*, if in the Town of St. *Jago de la Vega*, two Shillings ſix Pence.

LXXVIII. For his Attendance on the Priſoner to any other Place, *per* Day, four Shillings four Pence Halfpenny.

LXXIX. For ſummoning a Special Jury, ſix Shillings three Pence.

LXXX. For the Return of a *Venire facias*, one Shilling three Pence.

LXXXI. For every Bond, with Sureties for Appearance, to be paid by the Defendant, ſeven Pence Halfpenny.

LXXXII. For Allowance of a *Superſedeas*, one Shilling three Pence.

LXXXIII. For a Copy of a Warrant, ſeven Pence Halfpenny.

LXXXIV. For executing all Writs of Enquiry, Writs of Partition, *Proprietate probanda*, Forcible Entry, and Writs of Poſſeſſion, each, ten Shillings; and Mile-money, at and after the Rate of ſix Pence *per* Mile.

LXXXV. For ſerving every Summons at Common Law, or Foreign Attachment, beſides Mile-money, two Shillings ſix Pence.

LXXXVI. For his Fees upon each Verdict, two Shillings ſix Pence.

LXXXVII. For ſerving all Summons, and other Writs at Common Law, and all other Writs iſſuing out of the Court of Chancery to him directed, two Shillings ſix Pence each Writ, beſides Mile-money, at three Pence *per* Mile, except all Writs of Election, for which ſhall be paid ſuch Fee or Fees as the Governor, and Council for the Time being ſhall think fit to order and appoint.

LXXXVIII. For every Search in the Provoſt-marſhal's Books, one Shilling three Pence.

LXXXIX. For each Licence to ſell Drink, ſixteen Shillings three Pence.

XC. For levying a Debt by Execution for the firſt hundred Pounds and under, at the Rate of twelve Pence *per* Pound; and for all Sums over and above one hundred Pounds, ſix Pence in the Pound, and no more; and that he take no more Fees than for the Money that is really due to the Plaintiff, without any Pretence of Mile-money, or any other Charge whatſoever.

XCI. For an Aſſignment of a Bail-bond, two Shillings ſix Pence.

XCII. For diſburſing his Money for taking up runaway Negroes which are brought to Priſon, two Shillings ſix Pence in the Pound.

XCIII. For Diet for every Negro, *per* Day, ſix Pence.

XCIV. For executing every white Perſon, five Pounds.

XCV. For executing every Slave, one Pound; and Mile-money, after the Rate of ſix Pence *per* Mile to the Place where the Slave is ſent to be executed; to be paid, together with the Priſon Fees, by the Church-wardens of the Pariſh to which the Slaves belong.

XCVI. To the Bailiff that keeps the Jury, for every Action tried, one Shilling three Pence.

XCVII. For ſerving all Proceſs iſſuing out of the Supreme Court (*Subpœnas*, Executions, and Venditions only excepted) *per* Mile, three Pence; which Miles aforeſaid ſhall be accounted from the Supreme Court to the ſeveral Places where the Writs ſhall be ſerved, according to the common Computation.

Penalty on Clerk of the Supreme Court, &c.

XCVIII. And it is hereby enacted and ordained by the Authority aforeſaid, That the Clerk of the Supreme Court, the Marſhal, nor any other Perſon whatſoever, ſhall hereafter, for any Action where the Verdict of the Jury ſhall not

1711. amount to above twenty Pounds (excepting where Titles of Land are tried) take any other or greater Fees than what are allowed in the petty Courts of this Iſland, under the Penalty of One hundred Pounds, current Money; to be recovered by Action of Debt in any Court of Record of this Iſland, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed: One Moiety whereof ſhall be to our Sovereign Lady the Queen, her Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges hereof; the other Moiety to the Party aggrieved, or to him or them that ſhall ſue for the ſame.

taking greater Fees than are allowed in the petty Courts, if the Verdict is not for above 20*l.*

Fees of the inferior Courts.

XCIX. That the Fees of the inferior Courts ſhall be:

C. To the Jury upon each Verdict, two Shillings ſix Pence.

CI. For a Summons, ſeven Pence Halfpenny.

CII. For confeſſing Judgment out of Court, one Shilling three Pence.

CIII. For copying and filing a Declaration, each, one Shilling three Pence.

CIV. To the Judge for ſigning any Proceſs, one Shilling three Pence.

CV. For entering a Plea, Replication, or Rejoinder, each, one Shilling three Pence.

CVI For a *Capias*, one Shilling three Pence.

CVII. For a Summons for a Jury, ſeven Pence Halfpenny.

CVIII. To the Clerk for recording the Verdict, and entering Judgment, each, one Shilling three Pence.

CIX. For a *Retraxit*, Diſcontinuance, or Nonſuit, and recording the ſame, each, one Shilling ſix Pence.

CX. For an Execution and Vendition, each, two Shillings ſix Pence.

CXI. For a *Scire facias*, two Shillings ſix Pence.

CXII. For an Exemplification for a Record, five Shillings.

CXIII. To the Cryer for every Verdict, one Shilling three Pence.

CXIV. For a *Subpœna*, one Shilling three Pence.

CXV. For certifying a Record upon a Writ of Error, five Shillings.

CXVI. For a Commiſſion to, and Return of Auditors, each, five Shillings.

CXVII. For every Bond taken upon Warrant of Arreſt or Replevin, each, one Shilling three Pence.

CXVIII. For filing a Warrant of Attorney, ſeven Pence Halfpenny.

CXIX. For a Continuance, each Court and Replevin, each, one Shilling three Pence.

CXX. For acknowledging Satisfaction upon Record, and taxing Coſts, each, one Shilling three Pence.

CXXI. To the Cryer, for every Witneſs ſworn, ſeven Pence Halfpenny.

Proviſo.

CXXII. Provided always, and it is hereby further enacted and ordained by the Authority aforeſaid, That none of the inferior Courts intermeddle with or determine any Actions whatſoever, where Titles of Land or Negroes are concerned; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

For Sums under 20*l.* Judges of inferior Courts may iſſue Foreign Attachments.

CXXIII. And be it further enacted by the Authority aforeſaid, That the Judge or Judges of any of the inferior Courts of this Iſland, ſhall have like Power and Authority to iſſue out Foreign Attachments for any Sum of Money under Twenty Pounds, as the Chief Judge of the Supreme Court now hath by an Act of this Iſland; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Marſhal's Fees.

CXXIV. And be it further enacted by the Authority aforeſaid, That the Fees of the Marſhals of the inferior Courts be,

CXXV. For the Return of a *Cepi Corpus*, *Nulla bona*, *Non eſt inventus*, each, ſeven Pence Halfpenny.

CXXVI. For the Return of a Proclamation, one Shilling three Pence.

CXXVII. For the Return of a *Habeas Corpus*, two Shillings ſix Pence.

CXXVIII. For every Name returned upon an *Exigent*, ſeven Pence Halfpenny.

CXXIX. For the Return of a Record upon Writ of Error, two Shillings ſix Pence.

CXXX. For

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CXXX. For ſerving every Proceſs, *per* Mile, three Pence.
CXXXI. For ſerving a Replevin, one Shilling three Pence.
CXXXII. For Releaſe of a Felon, one Shilling three Pence.
CXXXIII. For every Commitment and Releaſement, each, one Shilling three Pence.

Clerks of the Crown, &c. to make Return of all Eſtreats of Fines, &c.

CXXXIV. And be it enacted and ordained by the Authority aforeſaid, That the Clerks of the Crown and Peace for the ſeveral and reſpective Courts and Seſſions within this Iſland, ſhall be obliged, and are hereby required to return to the Provoſt-marſhal-general Eſtreats of all Fines, Forfeitures, and Amerciaments whatſoever, not taken off, which ſhall be impoſed in any of the ſaid Courts, within one Month after each Court or Seſſions, under the Penalty of Twenty Pounds for every Default, to the End the Provoſt-marſhal for the Time being may deliver Copies of the ſame to her Majeſty's Attorney-general and Receiver-general for the Time being, in order to obtain Proceſs for levying the ſame, which he is required to do in One and twenty Days; and after the Receipt of any Monies by him ſo levied, to pay the ſame forthwith into the Hands of the Receiver-general for the Time being.

Peralty on Provoſt-marſhal not paying ſuch Fines to Receiver-general.

CXXXV. And in caſe the Provoſt-marſhal ſhall neglect to pay into the Hands of the Receiver-general for the Time being, any ſuch Fines, Forfeitures, or Amerciaments, within Twenty Days after the Receipt thereof, he ſhall forfeit for every ſuch Offence the Sum of One hundred Pounds.

CXXXVI. That the Coroner's Fees be,

Coroner's Fees.

CXXXVII. For each Inquiſition taken on the Body of any Perſon that came by an untimely Death, to be paid out of the Eſtate of the Perſon deceaſed; and where no Eſtate is found, then to be paid by the Church-wardens of the Pariſh where the Inquiſition is taken, three Pounds.

Juſtice of Peace's Fees.

CXXXVIII. To the Juſtices of the Peace,
CXXXIX. For every Warrant, one Shilling three Pence.
CXL. For every Examination, Affidavit, *Mittimus*, and Releaſe, each, one Shilling three Pence.
CXLI. For every Recognizance, two Shillings ſix Pence.

Conſtable's Fees.

CXLII. To the Conſtable,
CXLIII. For every Warrant ſerved, one Shilling three Pence.

Clerk of the Crown's Fees.

CXLIV. That the Clerk of the Crown's Fees be,
CXLV. For every Indictment returned *Billa vera*, one Pound.
CXLVI. And for every Bill *Ignoramus*, twelve Shillings ſix Pence.

Clerk of the Peace's Fees.

CXLVII. That the Clerk of the Peace's Fees be,
CXLVIII. For an Order of Seſſions for a Licence to ſell Rum and Rum-punch, and Bond, ſeven Shillings ſix Pence.
CXLIX. For every Preſentment returned *Billa Vera*, twelve Shillings ſix Pence.
CL. For every Bill returned *Ignoramus*, ſeven Shillings ſix Pence.
CLI. For the Trial of Negroes, ten Shillings.
CLII. And for every Day's Attendance after the firſt, five Shillings.
CLIII. For every Recognizance, two Shillings ſix Pence.
CLIV. For filing or entering the ſame, or any other Recognizance, two Shillings ſix Pence.

Fees of the Great Seal.

CLV. That the Fees of the Great Seal be,
CLVI. For the Seal of every hundred Acres of Land patented, ten Shillings; and ſo in Proportion for a greater or leſſer Quantity.
CLVII. For Foot-land, five Shillings, not exceeding fifty Foot ſquare, adding two Sides of the Square together.
CLVIII. And ten Shillings for every hundred Foot, or any other Number above fifty Foot.
CLIX. For every Order granted for taking up Land, two Shillings ſix Pence *per* Hundred, and no more; and ſo in Proportion for a greater or leſſer Number of Acres.
CLX. For ſealing a Writ of Exemption of a Decree, *Subpæna*, or other Proceſs, ſeven Pence Halfpenny.

CLXI. That

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Chancery Fees.

CLXI. That the Fees in Chancery be,

CLXII. For an Affidavit, or Oath to anſwer, taken before a Maſter in Chancery, one Shilling three Pence.

CLXIII. For all other Affidavits, one Shilling three Pence.

CLXIV. For taxing a Bill of Coſts, five Shillings.

Governor's Fees.

CLXV. To the Governor,

CLXVI. For every Oath taken before him, as Governor or Ordinary, one Shilling three Pence.

Clerk of the Chancery and Patents Fees.

CLXVII. That the Clerk of the Chancery and Patents Fees be,

CLXVIII. For regiſtering every Bill, Anſwer, or any other Proceedings, eight Pence *per* Sheet, accounting eight Words to a Line, and twenty Lines to a Sheet.

CLXIX. And where there are more Plaintiffs or Defendants than one in any Cauſe, that no more than one Copy of the Bill, Anſwer, or any other Proceedings, ſhall be charged by the Regiſter, or taxed in any Bill of Coſts.

CLXX. For a *Subpæna*, in which the Names of three Witneſſes may be inſerted, two Shillings ſix Pence.

CLXXI. For an Attachment, two Shillings ſix Pence.

CLXXII. For a Writ of Inquiſition, Bond, and Attendance, five Shillings.

CLXXIII. For a Commiſſion, ſix Shillings ten Pence Halfpenny.

CLXXIV. For a Decree, and Copy thereof, ſix Shillings three Pence, if not above ſix Sheets; if above, eight Pence *per* Sheet, twenty Lines to a Sheet, and eight Words to a Line.

CLXXV. For a *Dedimus*, five Shillings.

CLXXVI. For a *Juſticius*, five Shillings.

CLXXVII. For lodging Money in Court, ſix Pence *per* Pound.

CLXXVIII. For entering an Order of Court, one Shilling three Pence.

CLXXIX. For a Copy of a Minute of one Cauſe in one Chancery-day, one Shilling three Pence.

CLXXX. For an Oath taken in Court, one Shilling three Pence.

CLXXXI. For filing any Proceedings, one Shilling three Pence.

CLXXXII. For entering an Appearance, one Shilling three Pence.

CLXXXIII. For a Certificate of each Parcel of Land reſigned to the Queen, five Shillings.

CLXXXIV. For every Eſcheat-patent and Bond, one Pound.

CLXXXV. And for all other Patents, ten Shillings.

CLXXXVI. And if any more Parcels of Land than one in a Patent, fifteen Shillings, and no more.

CLXXXVII. For ſearching, one Shilling three Pence.

CLXXXVIII. For a Docket, one Shilling three Pence.

CLXXXIX. For a Plat, two Shillings ſix Pence.

CXC. For a *Caveat*, one Shilling three Pence.

CXCI. For a Commiſſion of Rebellion, twelve Shillings ſix Pence.

CXCII. For all other Writs iſſuing out of the Chancery, each, five Shillings, and no more.

CXCIII. And be it hereby enacted, That all Chancery Proceſs, except Attachments, may be ſerved by any Perſon, as heretofore.

Attorney-general's Fees.

CXCIV. That the Attorney-general's Fees be,

CXCV. For each common Patent, where there is but one Parcel of Land, one Pound.

CXCVI. And if more Parcels of Land be contained in a Patent, then one Pound ten Shillings.

CXCVII. For an Eſcheat-patent, five Pounds, and no more.

CXCVIII. For each *Fiat*, ten Shillings.

CXCIX. For a Pardon, five Pounds.

CC. And for all Proſecutions at the Queen's Suit, and other Proceſs relating thereto, as the Governor and Council for the Time being ſhall direct.

Receiver-general's Fees.

CCI. That the Receiver-general's Fees be ſuch as are appointed by the Quit-rent Act, as alſo for entering and clearing all Veſſels that come from Foreign Parts, five Shillings each.

CCII.

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CCII. For every Bond taken in his Office, two Shillings ſix Pence.

CCIII. For entering and clearing all Veſſels that go trading to other Countries, one Shilling three Pence each.

CCIV. Provided always, That no Turtlers, nor other Veſſels trading about this Iſland, pay any Fees.

Naval-Officer's Fees.

CCV. That the Naval Officer's Fees be,

CCVI. For entering all Ships from abroad to this Iſland, from the Northward of the Tropick of *Cancer*, two Shillings ſix Pence.

CCVII. For clearing each ſuch Veſſel, two Shillings ſix Pence.

CCVIII. For examining and recording Certificates, that Bonds are given according to the Act of Navigation in *England*, five Shillings.

CCIX. For every Bond taken here not to break the ſaid Act, with Duplicate of the ſame, five Shillings.

CCX. For examining all Cockets, Bills of Store, and Certificate of the Freedom of the Ships and Veſſels trading to this Iſland, two Shillings ſix Pence.

CCXI. For taking an Account of all Veſſels trading to this Iſland, two Shillings ſix Pence.

CCXII. For adminiſtering the Oath appointed by an Act of the Country to the Maſters of *Madeira* Veſſels that import Wines, one Shilling three Pence.

CCXIII. For entering and clearing all Veſſels trading about this Iſland (except turtling Sloops, which ſhall be and are hereby exempted from paying any thing) one Shilling three Pence.

CCXIV. For every Oath adminiſtered, One Shilling three Pence.

CCXV. For every Warrant of Survey, two Shillings ſix Pence.

CCXVI. For the Return, two Shillings ſix Pence.

CCXVII. For a Certificate, that the Goods of the Growth of *Europe* were ſhipped from hence to any of the Colonies in *North America*, and the Oath, eight Shillings nine Pence.

CCXVIII. For regiſtring all Ships purſuant to an Act of Parliament, entituled, *An Act for preventing Frauds, and regulating Abuſes in the Plantation Trade*, five Shillings.

Collector's Fees.

CCXIX. That the Collector's Fees be,

CCXX. For entering and clearing all Veſſels trading beyond the Tropick of *Cancer*, and Certificate given of their Lading, five Shillings.

CCXXI. For entering and clearing all Veſſels trading to *Guinea*, with Bonds and Certificates of paying ten *per Cent.* and adminiſtering the Oath, ten Shillings.

CCXXII. For entering all Invoices of Goods returned from *Guinea*, and adminiſtering the Oath, two Shillings ſix Pence.

CCXXIII. For ſigning the Regiſter of all Veſſels and recording the ſame, five Shillings.

CCXXIV. For ſigning a Certificate, five Shillings.

CCXXV. For regiſtering the Company of every three Maſt Veſſel, five Shillings.

CCXXVI. And for regiſtering every other Veſſel or Sloop's Company (except Turtling Sloops and Veſſels trading round this Iſland, which ſhall not pay any thing for ſuch Regiſter or altering the ſame) two Shillings ſix Pence.

Admiralty Fees.

CCXXVII. That the Fees of the Admiralty be,

CCXXVIII. To the Judge or Judges, and other Officers of the Court, on the Condemnation or Acquittal of every Veſſel ſeized for Breach of any of the Acts of Navigation or Trade, for every Veſſel under one hundred Tons, ten Pounds.

CCXXIX. And for every Veſſel of one hundred Tons or upwards, fifteen Pounds; to be diſtributed amongſt the Judges, or other Officers, in ſuch Manner as is allowed by an Act of Parliament, entituled, *An Act for the Encouragment of the Trade to* America.

CCXXX. To the Regiſter, for a Copy of a Condemnation, one Pound.

CCXXXI. For a Warrant of Appraiſement under the Seal of the Admiralty, ten Shillings.

Clerk of the Market's Fees.

CCXXXII. That the Clerk of the Market's Fees be,

CCXXXIII. For every Beef and Veal killed, one Shilling three Pence.

CCXXXIV. For every Mutton, Lamb, Goat, Turtle, Hog, or Kid, each, ſeven Pence Halfpenny.

1711. CCXXXV. Where any Diſputes ſhall ariſe about Weights between the Buyer and Seller, and Complaint be made to the Clerk to decide it by weighing at his Scales, to be paid for each Draught by the Party in the wrong, one Shilling three Pence.

CCXXXVI. For marking every Pot, from the Gill to the Gallon, two Pence.

CCXXXVII. For marking all Weights, from the Ounce to half-hundred Weight groſs, two Pence.

CCXXXVIII. For ſealing every Ell or Yard, two Pence.

Proviſo. CCXXXIX. Provided always, That no Fees ſhall be taken for Weights and Meaſures, as aforeſaid, above once every Year, and that only in each Market, Retailers Beings and Habitations within this Iſland, except Weights belonging to Wharfingers and Store-houſe Keepers, which ſhall be weighed ſome time in the Months of *February* and *June* every Year by the Clerk of the Market.

Penalty on making uſe of Stilyards in any Market, &c. CCXL. And that no Stilyards be made uſe of in any Markets, Retailers or Huckſters Shops, under the Penalty of Twenty Shillings for each Time ſo made uſe of; one Half of ſuch Forfeitures to be to the Poor of the Pariſh, the other to the Informer, or him that ſhall ſue for the ſame before any Juſtice of the Peace.

Clerk of the Market to qualify himſelf. *Vide Abridgm. Tit.* Fees. CCXLI. Provided always, That the Clerk of the Market, or other Perſon officiating under him, ſhall not take or demand any of the Fees aforeſaid for killing of Meat, but of ſuch Perſons as ſhall ſell in the ſaid Market; nor ſhall preſume to officiate in his ſaid Office until he has qualified himſelf, as by an Act for regulating Fees is required; nor ſhall aſk, demand, or receive any of the Fees before mentioned, unleſs he conſtantly attends by himſelf or Deputy during the Time of the Market, under the Penalty of Forty Shillings for every ſuch Offence; to be recovered before any Juſtice of the Peace; one Half to the Informer, the other Half to the Poor of the Pariſh.

CCXLII. And that no Butcher or Turtler ſhall ſell any Turtle or Meat by Retail, but in open Market, under the Penalty of Forty Shillings; to be recovered before any Juſtice of the Peace, for the Poor of the ſaid Pariſh.

Surveyor's Fees. CCXLIII. And it is hereby enacted by the Authority aforeſaid, That the Surveyor's Fees ſhall be,

CCXLIV. For entering the Order into his Book, one Shilling three Pence.

CCXLV. For ſurveying or re-ſurveying, two Pence *per* Acre, all Savannah, level or clear Ground.

CCXLVI. For Wood-land, four Pence *per* Acre.

CCXLVII. And ten Shillings for each Day hindered or delayed for drawing the Plat with Fieldwork, which they ſhall be obliged to deliver with their Plat, ten Shillings.

CCXLVIII. For ſurveying Houſe or Land at St. *Jago de la Vega*, *Port Royal*, *Kingston*, *Paſſage Fort*, or any other Bay or Harbour, if not exceeding one hundred twenty Feet, and ſo in Proportion for a great Quantity of Footland, ten Shillings.

Clerk of the Warrants Fees. CCXLIX. To the Clerk of the Warrants,

CCL. For drawing a Warrant for the Seal, four Shillings four Pence Halfpenny.

Lawyers Fees. CCLI. That the Lawyers Fees be,

CCLII. For drawing a Declaration, five Shillings.

CCLIII. For each Copy, two Shillings ſix Pence.

CCLIV. For a Pleading Fee, five Shillings.

CCLV. For drawing every Bill, Anſwer, Plea, Demurrer, Replication, Rejoinder, and all other Proceedings in Equity, each, two Pounds.

CCLVI. For engroſſing the ſame, one Pound.

CCLVII. For every Motion made or defended in the Court of Chancery, upon which any Order is made, ten Shillings.

CCLVIII. For arguing Exceptions, a Plea, Demurrer, or the Cauſe at Hearing, one Pound.

A Table of Fees to be ſet up in the reſpective Offices. CCLIX. And to the Intent that no Perſon be impoſed upon, or obliged to pay any greater or other Fees than what are herein mentioned, expreſſed, and ſet down; be it further enacted by the Authority aforeſaid, That a fair written Table of the Fees allowed and eſtabliſhed by this preſent Act to be taken in the reſpective Offices in this Iſland, ſhall be conſtantly and publickly kept in the ſeveral Offices following, *viz.*

CCLX.

1711.

CCLX. The Secretary's Office;
CCLXI. Provoſt-marſhal's Office;
CCLXII. Clerk of the Crown;
CCLXIII. Clerk of the Grand Court;
CCLXIV. Regiſter of the Chancery Office;
CCLXV. Clerk of the Patents;
CCLXVI. In the Regiſter of the Admiralty's Office;
CCLXVII. Naval Office;
CCLXVIII. Collector and Receiver-general's Office.

CCLXIX. And in caſe any Officer or Officers ſhall neglect or delay, within forty Days after the paſſing this Act, to fix and ſet up Tables of their Fees, as they are hereby ſettled and eſtabliſhed; every ſuch Officer or Officers neglecting, omitting, or delaying to do the ſame, ſhall forfeit the Sum of One hundred Pounds; to be recovered in any Court of Record of this Iſland, by Action of Debt, or otherwiſe; one Moiety whereof ſhall be to her Majeſty, her Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; the other Moiety to the Informer, or him or them that ſhall ſue for the ſame. Penalty on Officers omitting to fix up ſuch Table,

CCLXX. And in caſe any Officer, or any other Perſon for them, ſhall on any Pretence whatſoever preſume to aſk, take, demand, or receive any greater or other Fees, Sum or Sums of Money, or other Reward, ſave what is herein before preſcribed (always except what ſhall be voluntarily given or allowed to Lawyers or Practitioners at Law by their Clients) every ſuch Officer, Perſon or Perſons, ſo aſking, demanding, taking, or receiving, ſhall, for every ſuch Offence, reſpectively, forfeit the Sum of One hundred Pounds; one Moiety whereof ſhall be to her Majeſty, her Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; the other Half to the Informer, or him or them that ſhall ſue for the ſame, and be further incapacitated to bear any ſuch Office or ſuch Place of Truſt; and ſuch Lawyer or Attorney ſhall be incapable of practiſing any more in any of the Courts of this Iſland. or daring to take greater Fees.

CCLXXI. Provided always, That if any Fee or Fees appointed by an Act of this Country, or by any Statute or Law in Force in this Iſland, and not hereby repealed, for any Breach of any Duty incumbent on any Officer or other Perſon, and ſhall not be particularly ſpecified in this Act, it ſhall and may be lawful for ſuch Officer or other Perſon to take ſuch Fees as by ſuch Law or Statute is appointed: And ſuch Officer or Officers ſhall add ſuch Fee or Fees by him or them ſo taken, to the Liſt of his Fees fixt up in his Office, according to the Directions of this Law, together with a Minute of the Act or Statute warranting the ſame; to the End that ſuch Fee or Fees, if any ſuch be omitted, may hereafter be annexed to ſuch Office by a ſupplementary Act at any future Seſſions of the Aſſembly. Proviſo.

CCLXXII. And provided alſo, That the Penalties in this Law ſhall not extend to the Parochial Officers, for taking their Fees for their Duty in their reſpective Pariſhes, ſuch as ſhall be appointed them by the Juſtices and Veſtry. Pariſh Officers excepted.

CCLXXIII. And be it further enacted by the Authority aforeſaid, That no *Jew*, Mullatto, *Indian*, or Negro, ſhall be capable to officiate or be employed to write in or for any of the above Offices upon any Pretence whatſoever: And every Officer in the ſaid Offices, or any of them, who ſhall ſuffer ſuch Perſon or Perſons, ſo incapacitated to write or be employed in or for any of the ſaid Offices, for every ſuch Offence, contrary to the true Intent and Meaning of this Act, ſhall reſpectively forfeit the Sum of One hundred Pounds current Money of this Iſland; the one Half whereof ſhall be to the Uſe of her Majeſty, her Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; the other Moiety to the Informer, or him or them that ſhall ſue for the ſame; wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed, or *Non vult ulterius proſequi* be entered; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. Penalty on Officers employing *Jews*, &c. to write in the publick Offices.

CCLXXIV. And be it further enacted by the Authority aforeſaid, That all Coſts at Law ſhall be taxed by the Clerk of the reſpective Courts where ſuch Actions Law Bills to be taxed by the Clerk of the Court where the Actions were ſued.

1711. ons ſhall be ſued, upon Application to him made, before any Lawyer or other Perſon ſhall pretend to aſk and demand ſuch Coſts, or take out Execution for the ſame: And whatſoever Lawyer ſhall offer any Bill of Coſts at Common Law or in Equity, or receive his Money thereon, not having been firſt taxed, as aforeſaid, ſhall reſpectively forfeit for every Offence the Sum of Five hundred Pounds; one Half whereof ſhall be to her Majeſty, her Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof, and the other Moiety to the Informer, or to him or them that ſhall ſue for the ſame.

CCLXXV. And that all Bills of Coſts in Chancery ſhall alſo be taxed by the Clerk of the Chancery, upon Application to him made.

Penalty on ſuch Clerk allowing greater Fees than are hereby directed.

CCLXXVI. And in caſe any Perſon or Perſons ſhall tax, inſert, or allow of any more or other Fees in any Bill or Bills of Coſts, ſo to be taxed, as aforeſaid, ſave what are before mentioned; every Perſon or Perſons, ſo taxing, inſerting, or allowing ſuch Fee or Fees, contrary to the true Intent and Meaning hereof, ſhall for every ſuch Offence forfeit the Sum of Five hundred Pounds; one Half to her Majeſty, her Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; the other Moiety to him or them that ſhall inform or ſue for the ſame.

Proviſo.

CCLXXVII. Provided, That each Proſecution be within two Years after ſuch Offence given.

Proviſo.

CCLXXVIII. Provided alſo, That it ſhall and may be lawful for the Maſters in Chancery to tax all ſuch Bills as ſhall be due to Lawyers upon Cauſes already determined, as formerly, according to the Rules of Court; provided ſuch Bills, as aforeſaid, be taxed within three Months after the Day of paſſing of this Act.

Clauſes in former Acts relating to Fees repealed.

CCLXXIX. And be it further enacted by the Authority aforeſaid, That all and every Clauſe and Clauſes (particularly enumerating Fees only) in any former Act or Acts for regulating Fees, ſhall be, and are hereby repealed, annulled, and made void to all Intents and Purpoſes whatſoever; any Thing herein contained, or in any former Act to the contrary notwithſtanding.

Proviſo.

CCLXXX. Provided always, and it is the true Intent and Meaning of this Act, That nothing herein contained ſhall be deemed or conſtrued, ſo as to hinder or abridge any of the Judges of the ſeveral Courts within this Iſland to make, order, and eſtabliſh all ſuch Rules and Orders (adding and altering Fees only excepted) as ſhall be neceſſary for the well regulating the ſaid Courts, but they ſhall reſpectively have the ſame Powers therein as they ought or could have before the making of this Act; any Thing herein contained to the contrary in any wiſe notwithſtanding.

An Act for the further quieting Poſſeſſions, and preventing vexatious Suits at Law.

Act 57. WHEREAS by the Earthquake and Fire at *Port Royal*, and by many other Accidents, ſome Records of this Iſland have been utterly deſtroyed and loſt: And whereas ſeveral Titles, heretofore made, of Lands and other Things, by Want of Skill and Knowledge in thoſe that drew Conveyances for the ſame, may admit of Diſputes and Suits in Law and Equity: To the Intent therefore that vexatious Suits, both in Law and Equity, may be prevented, the Inhabitants eaſed, and the Publick Good advanced; be it enacted by the Governor, Council, and Aſſembly of this her Majeſty's Iſland of *Jamaica*, and it is hereby enacted by the Authority of the ſame, That from and after the firſt Day of *November* next enſuing, all Poſſeſſors of Lands, Houſes, Tenements, Negroes, or other Hereditaments, by virtue of any Patent, Deed, Aſſignment, or Conveyance whatſoever, made, or by virtue of any Order formerly granted, who have been in the peaceable Poſſeſſion, without Suit, Claim, or Interruption, for the Space of ſeven Years before the making of this Act; or ſhall continue in ſuch Poſſeſſion from the firſt poſſeſſing of the ſame, by themſelves, or thoſe under whom they claim, for and during

Perſons having had Eſtates in their Poſſeſſions ſeven Years without Interruption, ſhall afterwards hold them in Fee againſt all other Claimers.

during the Space of Seven Years, ſhall have and enjoy ſuch Eſtate reſpectively, and hold the ſame in Fee againſt all Perſons whatſoever, and give this Act in Evidence, or plead it in bar in any Suit or Suits to be maintained by or brought againſt him, her, or them, by her Majeſty, her Heirs or Succeſſors, or any Perſon or Perſons whatſoever, and againſt all and every Entry, Claim, and Demand whatſoever, which ſhall be, and are reſpectively barred hereby. 1711.

II. Provided nevertheleſs, That Infants, Women under Coverture, Perſons of non-ſane Memory, and Perſons out of this Iſland, ſhall have Liberty, by themſelves, their Agents, or Attornies, to commence their Actions reſpectively within ſuch Times after the Diſability removed as are reſpectively herein after limited; that is to ſay, Infants, within five Years after they come to the Age of twenty-one Years; Women under Coverture, within five Years after the Death of their immediate Huſbands; Perſons of unſound Memory, within five Years after they become of ſound Minds and Memories; and Perſons of full Age out of this Iſland, within five Years from the Date of this Act; or otherwiſe ſuch Perſons are hereby declared to be barred for ever, according to the true Intent and Meaning of this Act; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. Proviſo.

III. Provided alſo, That nothing in this Act contained ſhall be any ways deemed or conſtrued to extend to extinguiſh, bar, diſannul, or make void the Reſervation of any Rents and Services heretofore reſerved, or which hereafter ſhall be, or ought to be, or to have been reſerved to the Queen's Majeſty, her Heirs and Succeſſors, in and by any Letters-patent, for and in reſpect and by reaſon of any Lands, Tenements, or Hereditaments therein contained, or any Right accruing to her Majeſty in any Lands, Tenements, or Hereditaments, by any Forfeiture that may have been, or ſhall be incurred by reaſon of the Non-performance of Conditions in Deed or in Law, or the Covenants contained in any Grant or Grants of the Crown, made or to be made. Proviſo.

IV. Provided alſo, That all Poſſeſſors or Proprietors of Lands, holding by Order, as aforeſaid, ſhall, within one Year after the paſſing of this Act, take out Patents for the ſame, and pay ſuch Quit-rents as ſhall be due thereupon, from the Time of the great Earthquake, or otherwiſe ſhall not be intitled to any Advantage by this Act; any Thing herein contained to the contrary notwithſtanding. Proviſo.

V. Provided alſo, That this Act, or any Thing herein contained, ſhall not extend to be deemed, taken, held, or conſtrued to extend to confirm or give Title to any Mortgage or Leaſes of any Lands, Negroes, or other Slaves, mortgaged or in Leaſe, or to any other Perſon or Perſons, to any Lands, Negroes, or other Slaves, by him, her, or them poſſeſſed, as Attorney or Guardian, or otherwiſe in Right of another, or to any particular Uſe, Truſt, Courteſy, Dower, Eſtate for Years, or for Life, or in Tail, or to any Perſon or Perſons whatſoever, claiming or to claim from, by, or under any Mortgages or Leaſes, or to any Attorney or Guardian, or other Perſon ſeized or poſſeſſed, to the Uſe or in Truſt for another, or under ſuch Tenants by the Courteſy, in Dower, for Years, or for Life; but that the ſame remain and be, to all Intents and Purpoſes, as before the making of this Act; any thing herein contained to the contrary in any wiſe notwithſtanding. Proviſo.

VI. Provided alſo, That where there are two or more Patents for the ſame Lands and Tenements in Being, nothing in this Act contained ſhall extend or be conſtrued to extend to confirm the Right or Title of any latter Patentee, or of any Perſon or Perſons claiming from, by, or under him, to the Prejudice of any prior Patentee, or any Perſon or Perſons claiming from, by, or under ſuch prior Patentee. Proviſo.

VII. And whereas, through the Neglect of many Perſons, Satisfaction hath not been entered of Record in due Form of Law upon Judgments obtained, tho' they have been fully ſatisfied: And to the End that vexatious Suits at Law in relation thereto may be prevented; and that all dormant Bills, Bonds, Judgments, and other Securities for Money which have not hitherto been, or ſhall not be legally demanded in a convenient Time, may become void, be it enacted, and it is hereby enacted by the Authority aforeſaid, That all Bills, Bonds, and Mortgages, whereon no Intereſt hath been paid, and Judgments, Recognizances, Fines, and Amercia- Bonds, &c. whereon no Intereſt hath been paid for the Space of twenty Years, &c. are null and void.

1711. Amerciaments, and all and every other Writing and Writings obligatory whatſoever, which have not been legally demanded within the Space of twenty Years laſt paſt, ſince the Dates thereof reſpectively, or ſince the laſt Payment of Intereſt upon ſuch Bills, Bonds, and Mortgages, and that ſhall not be legally demanded within the Space of five Years from and after the paſſing of this Act, ſhall be, and are hereby declared to be null and void, to all Intents, Conſtructions, and Purpoſes whatſoever; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding.

Bills of Sale, &c. duly executed and recorded, are hereby declared ſufficient to convey away the Right to Negroes or Eſtates.

VIII. And be it further enacted by the Authority aforeſaid, That all Bills of Sale, Deeds, and other Conveyances whatſoever, at any Time heretofore made, and duly executed, acknowledged, proved, and recorded, purſuant to the true Intent and Meaning of an Act of this Iſland, entituled, *An Act for Prevention of Law-ſuits*, although no valuable Conſideration be therein reſpectively inſerted; and all Deeds and other Conveyances whatſoever, herein after to be made for valuable Conſideration, of any Lands, Tenements, Negroes, and Hereditaments within this Iſland (excepting ſuch as have or ſhall be made by Infants during their Infancy, and Perſons of non-ſane Memory, during the Time they continue ſo) ſuch Lands, Tenements, Negroes, and Hereditaments are hereby enacted and declared to have paſſed, and to be conveyed by the ſame as fully, to all Intents and Purpoſes, as any Real Eſtate in the Kingdom of *Great Britain* might or could paſs by Fine and Recovery in her Majeſty's Court of *Common-Pleas* in *Weſtminſter-hall*; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding.

An Act for regulating Fowling and Fiſhing.

Act 58. WHEREAS ſeveral Perſons within this Iſland do frequently uſe evil and ill-diſpoſed Methods of deſtroying the Fiſh in and about this Iſland; and alſo deſtroy the Pigeons at an unſeaſonable Time of Year, which much redounds to the Prejudice of the poorer Sort of Inhabitants of this Iſland: We, your Majeſty's moſt dutiful and loyal Subjects, the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, do moſt humbly beſeech your Majeſty that it may be enacted, and it is hereby enacted by the Authority of the ſame, That

No Perſon to deſtroy any Fiſh in any Harbour, &c. unleſs the Land on the Side of the River, &c. belong to him.

no Perſon or Perſons whatſoever ſhall for the future, by himſelf, Servant, or Slave, deſtroy any Fiſh in any Harbour, Bay, Creek, or River within this Iſland, by any Method of poiſoning or intoxicating whatſoever; nor ſet Fiſh-pots in, or make any Wear or Stops over any River or Creek within this Iſland, unleſs the Land on the Side of the ſaid River or Creek belong to themſelves, excepting the Creek of the *Bogne*, in the Pariſh of *Vere*, where no Fiſh-pots ſhall be ſet, nor no Wear made over any Part thereof; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

No Perſon to uſe any Seane, &c. for catching Fiſh with leſs Meſhes than one Inch and a Quarter between Knot and Knot;

II. And that no Perſon or Perſons whatſoever do, by themſelves, Servants, or Slaves, from and after the firſt Day of *January* next enſuing, make uſe of any Seane, Net or Nets, or Engine for catching of Fiſh in any Harbour, Bay, River, Creek, or Pond, in or about this Iſland, with leſs Meſhes than one Inch and a Quarter between Knot and Knot of any ſuch Net or Nets ſo made uſe of, excepting Shrimp Nets, which ſhall not be above two Fathoms and a Half long: And that no Perſon or Perſons whatſoever preſume to join two or more together for catching the ſame; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

nor deſtroy any Turtle Eggs;

III. And it is hereby further enacted by the Authority aforeſaid, That no Perſon or Perſons whatſoever, by himſelf, Servant, or Slave, ſhall for the future deſtroy any Turtle Eggs in or upon any Part of this Iſland, or in or upon any Iſland or Quays belonging to the ſame; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

or kill wild Pigeons.

IV. And it is hereby further enacted by the Authority aforeſaid, That no Perſon or Perſons whatſoever, by himſelf, Servant, or Slave, ſhall for the future kill any wild Pigeons, young or old, within the Pariſhes of St. *Catharine* and St. *John*, nor on any of the ſeveral Iſlands or Quays belonging to this Iſland, in the Months of

of *May*, *June*, and *July*; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding. 1711.

V. And it is hereby enacted by the Authority aforeſaid, That whoſoever ſhall offend contrary to the true Intent and Meaning of this Act, ſhall for every Offence, being convicted thereof before any Magiſtrate of this Iſland, forfeit the Sum of Forty Shillings; one Half whereof ſhall be to the Poor of the Pariſh where ſuch Offence is committed, and the other Half to the Informer, or him that ſhall complain or inform of the ſame. Penalty on Perſons offending againſt this Act;

VI. And if any Negro, Mulatto, *Indian*, or Slave, ſhall offend contrary to the true Intent and Meaning of this Act, he ſhall receive Thirty-nine Laſhes on the bare Back for every ſuch Offence, being convicted thereof before any Juſtice of the Peace within this Iſland; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding. and Puniſhment on Negroes, &c.

An Act for the better ſecuring the Eſtates and Intereſt of Orphans and Creditors; and to oblige Executors to give Security, and to return Appraiſements into the Secretary's Office of this Iſland.

Act 59.

Whereas, through the Neceſſity of ſending the Youth of this Iſland to *Great Britain* for Education, very many have conſiderably ſuffered in their Eſtates, by the Death of their Anceſtors during their Abſence, for want of Inventories being returned into the Secretary's Office of the Perſonal Eſtate their Anceſtors were poſſeſſed of at the Time of their Death: And whereas it has frequently happened, that during the Abode of ſuch Youth in *Great Britain* (which often continues for Ten or Fifteen Years) not only their immediate Anceſtors, but the Executors of ſuch Anceſtors have died, whereby their Eſtates have fallen into the Hands, and under the Management of Executors or Adminiſtrators to ſuch Executors, who have been Strangers to the firſt Teſtators; and no Inventory having been made by the Executors, it has been impoſſible to diſcover the Teſtator's Eſtate: And ſuch Orphans at their Return to this Iſland have found their Eſtates very much waſted and impaired; and ſome have been entirely ruined, notwithſtanding that Parents have died poſſeſſed of very large Perſonal Eſtates.

II. And whereas it is uſual and cuſtomary for Merchants in *Great Britain* to entruſt Cargoes with Perſons whom they ſend hither as their Factors, for the Diſpoſal thereof, and who come to advance their Fortune in this Iſland, and to ſettle and become Inhabitants here, which has brought many People, and been of great Advantage to the Settlement of this Iſland; but the ſame having received great Diſcouragement likewiſe, by the Death of ſome of the ſaid Factors, who having made their Wills, and their Executors not having returned any Inventories of their Goods, it has been impoſſible for their Principals in *Great Britain*, by their Agents or Attornies here, to diſcover the ſame, or recover the Value thereof, though they might otherwiſe have reaſonably expected to have been conſiderable Gainers by their Adventure, which has tended to the great Diſcouragement of Trade in general, as well as the particular Loſs of many Merchants, Adventurers to this Iſland, as alſo to the preventing of People's coming to ſettle amongſt us, from the Diſcredit it brings upon the Inhabitants here: For the Prevention of which, and ſuch like Inconveniencies for the future, be it enacted by her Majeſty's Governor, Council, and Aſſembly of this Iſland, and it is hereby enacted by the Authority of the ſame, That all and every Executor and Executors for the future, when the Will of any Teſtator is by him or them exhibited to be proved, ſhall anſwer upon Oath to the Value and Circumſtances of the Teſtator's Teſtamentary Eſtate to the beſt of his or their Knowledge, and ſhall, at the Diſcretion of the Ordinary, not only take the Oath of an Executor, but give ſuch Security as the Ordinary ſhall direct in the Secretary's Office, to return a juſt Inventory of the Teſtator's Eſtate, with an Appraiſment thereof upon Oath, within ſuch Time as ſhall be limited by the Ordinary for the Time being; any Law, Statute, or Uſage to the contrary thereof in any wiſe notwithſtanding. Executor to anſwer upon Oath the Value and Circumſtances of the Teſtator's Teſtamentary Eſtate.

III. Provided always nevertheleſs, That ſuch Examination and Oath may be taken by any Perſon or Perſons lawfully authorized by virtue of a *Dedimus* from the Proviſo.

1711. the Ordinary where the Party ſhall happen to be indiſpoſed or incapable to attend, (through Age or other Infirmity) and where the Ordinary ſhall think fit to grant ſuch *Dedimus*; any thing in this Act to the contrary thereof contained in any wiſe notwithſtanding.

IV. And whereas ſeveral Orphans Eſtates have been let out to Leaſe during their Minority, without any Security given for the returning or making good the Slaves and perſonal Eſtates ſo leaſed, at the Expiration of ſuch Leaſe or Leaſes, whereby ſeveral poor Orphans have been utterly undone: For the Prevention therefore of the like undue Practices for the future, be it further enacted by the Authority aforeſaid, That all Guardians, Executors, Adminiſtrators, or other Perſon or Perſons whatſoever, who are impowered to leaſe out any Orphan's Eſtate, ſhall be obliged to take good and ſufficient Security of the Leſſee or Leſſees for the making good or returning all ſuch Slaves and other Perſonalty as ſhall be ſo leaſed by them at the Expiration of ſuch Leaſe or Leaſes; and that all Guardians, Executors, Adminiſtrators, or other Perſon or Perſons, who ſhall for the future leaſe out any Orphan or Orphans Eſtate, ſhall annex to the Leaſe a Schedule of all the Slaves and Perſonal Eſtate ſo leaſed, and record the ſame in the Secretary's Office of this Iſland within Three Months after the executing ſuch Leaſe or Leaſes, under the Penalty that all ſuch Leaſe or Leaſes ſo made of Orphans Eſtates, by Perſons, as aforeſaid, which ſhall not be recorded within the Time herein before prefixed in Manner as aforeſaid; and for the due Performance thereof, on the Part of the Leſſee, Security ſhall not have been given; ſhall, from and after the Expiration of the ſaid three Months, be utterly void, as if the ſame had never been made; any Law, Statute, or Uſage to the contrary notwithſtanding.

Guardians, &c. obliged to take ſufficient Security of the Leſſee, &c. for the returning ſuch Slaves or other Perſonalty as ſhall be leaſed, at the Expiration of the Leaſe.

1712. *An Act to encourage White Men to come to continue and ſettle in this Iſland.*

Act 60. WHEREAS it will be a very great Benefit and Advantage to this Iſland, by all proper Ways and Means, to bring white Men to, and to encourage ſuch as are already here to continue and ſettle in this Iſland: And whereas Wherries, Sloops, Boats, and Canoes, which ply for Fare and carry Goods for Hire from and within the Harbours, Creeks, and Rivers in this Iſland, are chiefly managed by Slaves, to the great Diſcouragement of poor white Men and other free Perſons: For the Prevention whereof for the future, and to the Intent that all due Regard may be had to white Men, and Encouragement given to them to come to continue and ſettle in this Iſland; be it enacted and ordained by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted and ordained by the Authority of the ſame, That within one Month after the paſſing of this Act, one white Man ſhall conſtantly ply and be employed in each Wherry-boat and Canoe plying for Fare from, in, or to any Harbour or Place in this Iſland (Water Canoes only excepted.)

One white Man to be employed in every Boat,

II. And be it further enacted by the Authority aforeſaid, That all Sloops and Boats which ply and carry Goods for Hire to, from, or within any Harbour, Bay, River, Creek, or Place in this Iſland, ſhall always be navigated with two white Men, and the reſt of the Crew to be made up of white Men, free Mulattoes, and free Negroes; only one Slave, and no more, may be employed in each ſuch Sloop or Boat.

and two in every Sloop, &c. carrying Goods for Hire;

III. And whereas it will be neceſſary, for the better Preſervation of Goods to be landed at and on the ſeveral publick Wharfs, Bays, Barkadiers, and Landing-places of this Iſland, that a proper Number of white Men may be employed thereon reſpectively; be it further enacted by the Authority aforeſaid, That there ſhall be kept one or more white Men for and upon every ſuch publick Wharf, Barkadier and Landing-place; and that there ſhall be only kept and employed Three Slaves for and with any or every white Man, and no more, the Names of

and one on every Wharf where Goods are landed, &c.

of which white Men and Slaves ſhall be duly given in upon Oath by the Wharfinger, chief Manager, or Perſon immediately receiving Profit by ſuch Wharf, Bay, Barkadier, or Landing-place, at every Quarter-ſeſſions to be held for the Pariſh or Precinct where ſuch Wharf, Bay, Barkadier, or Landing-place reſpectively are; which Oath the Juſtices in Quarter-ſeſſions are hereby impowered and required to adminiſter; and whoſoever ſhall either neglect to take ſuch Oath, or, after having taken ſuch Oath, ſhall be found guilty of having ſworn untruly, every ſuch Perſon ſo offending ſhall (beſides other Puniſhments to be inflicted by the Law) be liable to ſuffer Three Months Impriſonment for every ſuch Offence; or, in lieu thereof, ſhall forthwith, upon Conviction, pay the Sum of Fifty Pounds; the one Half thereof to the Uſe of the Informer, and the other Moiety, or Half Part thereof, to the Poor of the Pariſh where ſuch Offence ſhall be committed; to be paid for them into the Hands of the reſpective Church-wardens, or one of them, who are hereby impowered to demand and receive the ſame. 1712.

Veſſels may unload their Goods at any publick Wharf.

IV. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Sloop, Boat, or Canoe, carrying Goods for Freight or Hire paying the uſual Rates, to land ſuch Goods at, or carry them from any publick Wharf, Barkadier, or Landing-place; and that the Perſons belonging to ſuch Wharfs, Barkadiers, or Landing-places, ſhall be, and are hereby required to permit the ſame: And whoſoever ſhall offend contrary to the true Intent and Meaning of this Act, ſhall for every ſuch Offence, forfeit the Sum of Forty Shillings; to be recovered before any Magiſtrate of the Pariſh or Precinct where ſuch Offence is committed.

Boat-hire.

V. And be it further enacted by the Authority aforeſaid, That within one Month after the Day of paſſing this Act, the Fare and Hire of a Wherry with Two Oars, between *Port Royal* and *Kingston*, ſhall be four Ryals; and between *Port Royal* aforeſaid and *Paſſage Fort*, the like Sum of four Ryals; and between *Kingston* aforeſaid and *Paſſage Fort*, the Sum of Six Ryals; and from *Port Royal* or *Kingston* to the ſeveral Places following, the Hire and Fare of ſuch Wherries with Two Oars ſhall be as follows, *viz.* To St. *James's Fort*, five Shillings; to *Bull's Bay*, ten Shillings; to *Yallows*, twenty Shillings; to *Morant* or *Port Morant*, forty Shillings; to *Old Harbour*, *Pig Bay*, the *Bogne*, or *Salt River*, one Pound, and ſo in Proportion; that is to ſay, one Half more than the Prices reſpectively, as aforeſaid, for Wherries with Four Oars.

How long Wherrymen are to ply.

VI. And be it further enacted by the Authority aforeſaid, That ſuch Wherryman, as aforeſaid, ſhall be, and are hereby obliged to ply from Break of Day to Eight o'Clock at Night, under the Penalty (if he be a white Man) that he ſhall forfeit Ten Shillings; and if he be a Negroe, he ſhall ſuffer Thirty one Laſhes, to be ordered reſpectively by any Magiſtrate, before whom Complaint ſhall be made.

Owners of Wharfs to keep Scales for the weighing of Goods.

VII. And be it further enacted by the Authority aforeſaid, That Weights and Scales ſhall be kept by all Owners or Perſons employed for the keeping of publick Wharfs, Barkadiers, Bays, and Landing-places in this Iſland, to weigh, if required, all Sugar, Indigo, Piemento, Cotton, and other Plantation Goods, which ſhall come to ſuch Wharf, Bay, Barkadier, or Landing-place, and the Weight thereof reſpectively ſhall be entered into a Book at each Place to be kept for that Purpoſe; and for ſuch weighing and entering into ſuch Books, as aforeſaid, they ſhall be paid fifteen Pence for every Hogſhead, and Seven Pence Halfpenny for every Draught, be it more or leſs, of other Goods of all Sorts which ſhall be ſo weighed and entered, as aforeſaid: And all Wharfingers and other Perſons which ſhall receive any Benefit at any ſuch Wharf, Barkadier, or Landing-place, ſhall give, or take Care that Receipts be given for all Goods which ſhall be delivered to them by any Perſon demanding the ſame, ſuch Goods having been firſt weighed, as aforeſaid: And whoſoever ſhall offend, either by neglecting to procure ſuch Scales and Weights, or in not weighing the Goods delivered to them, and entering the ſame in a Book, as aforeſaid, or not giving ſuch Receipts, as aforeſaid, upon Demand; every Perſon ſo offending, ſhall, for every ſuch Offence, forfeit the Sum of Twenty Pounds; to be recovered in the Supreme Court of Judicature of this Iſland, wherein no Eſſoin, Protection, or Wager of

1712. Law ſhall be allowed, or *Non vult ulterius proſequi* be entered; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

VIII. And be it further enacted by the Authority aforeſaid, That the Owners or Proprietors of any Hackney Coach or Coaches, Chariots, and four Wheel Chaiſes, which ſhall ply upon the Road for Hire, ſhall have one white Man for each ſuch Hackney Coach or Coaches, Chariot, or Chaiſe which ſhall ſo ply for Hire; and the Hire and Fare ſhall be as follows, *viz.* For each Coach to and from *Paſſage Fort* to *Spaniſh Town* and back again, that carries four Paſſengers, thirty Shillings; for each Coach that carries three Paſſengers, five and twenty Shillings; and for two Paſſengers, or for one Paſſenger in any ſuch Hackney Coach, Chariot, or Chaiſe, twenty Shillings, and no more.

Coach-Hire,

IX. And be it further enacted by the Authority aforeſaid, That the Owners of all Carts or Waines that ſhall carry Goods for Hire, ſhall be obliged to keep one white Man for the firſt Cart or Waine, and one white Man more for every two ſuch Carts or Waines they ſhall keep beſides the firſt, to go forwards and backwards with ſuch Carts and Waines, and that the Fare and Hire for ſuch Cart and Waine ſhall be as follows, *viz.* For each Hogſhead of Sugar, five Shillings; for each Barrel of Beef, Flour, Herrings, or Mackarel, the Sum of one Shilling and three Pence, and ſo in Proportion for Carriage of other Goods from *Spaniſh Town* to *Paſſage Fort*, and no more.

and Cart Hire.

Owners of Hackney Coaches, &c. to give upon Oath an Account of the Number of Coaches by them kept, aud the Drivers Names.

X. And the Owner of each ſuch Hackney Coach, Chariot, or Chaiſe, as aforeſaid, and of each Cart and Waine, or ſome Perſon for him or her, ſhall give in an Account upon Oath at each Seſſion of the Number of Hackney Coaches, Chariots, Chaiſes, Carts, and Waines which they keep reſpectively, and of the Names of the white Man or Men particularly kept for each Hackney Coach, Chariot, Chaiſe, Cart or Carts, Waine or Waines; which Oath the Juſtices at each Seſſion are hereby impowered to adminiſter and receive: And whoſoever ſhall offend contrary to the Intent of this Act, either in not keeping ſuch white Man for each ſuch Coach or Coaches, Chariot, Chaiſes, Cart or Waine, or in not making ſuch Oath, for every ſuch Offence ſhall forfeit the Sum of Ten Pounds; the one Half Part thereof to the Uſe of her Majeſty, her Heirs, and Succeſſors, and the other Moiety to him or them that ſhall ſue for the ſame; any Law, Cuſtom, or Uſage to the contrary notwithſtanding; to be recovered as aforeſaid.

Clauſe to prevent embezilling of Goods on board Veſſels, &c.

XI. And whereas Goods, Wares, and Merchandizes, are frequently purloined, ſtolen, and embezilled, by Perſons that ply in Sloops, Canoes, and Boats that carry the ſame for Hire, and by Perſons belonging to publick Wharfs, Barkadiers, and Landing-places: For Prevention whereof for the future, and for the making Satisfaction to ſuch Perſons as may be damnified by ſuch purloining, ſtealing, or embezilling Goods, as aforeſaid, be it enacted by the Authority aforeſaid, That any Perſon thinking himſelf aggrieved, or any one in his Behalf, may, upon Application to any Juſtice of Peace of the Precinct, have a Warrant for any Perſon or Perſons belonging to any ſuch Sloop, Canoe, or Boat, publick Wharf, Barkadier, or Landing-place, where Goods are ſuſpected to be purloined, ſtolen, or embezilled, to bring them before a Magiſtrate, and there to oblige them to ſwear what Goods and how much were ſo purloined, ſtolen, or embezilled; which Oath ſuch Juſtice is hereby impowered and required to adminiſter: And whoſoever ſhall refuſe to take ſuch Oath, ſhall forfeit Twenty Pounds; to be recovered as aforeſaid: And whoſoever ſhall be convicted by ſuch Confeſſion upon Oath, ſhall forfeit double the Value of the Goods ſo purloined, ſtolen, or embezilled, to the Party aggrieved; to be recovered as aforeſaid.

Proviſo.

XII. Provided nevertheleſs, That ſuch Confeſſion upon Oath ſhall not be given in Evidence to charge any Perſon with Felony, or in any Action of Treſpaſs, or other Action at Law; nor in any other Manner, ſave only to make ſuch Perſon liable to the ſaid Forfeiture, and for no other Intent or Purpoſe whatſoever; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding.

1712.

An Act for preſerving the publick Records of this Iſland.

ACT 61.

WHEREAS the publick Records of this Iſland have received great Damage by Length of Time, frequent Searches, and the late violent Hurricane; which, of Neceſſity muſt very much increaſe, if timely Care be not taken to prevent it, to the great Prejudice of the Inhabitants of this Iſland: For the better Security and Preſervation of the ſame for the future, be it enacted by the Governor, Council, and Aſſembly of this her Majeſty's Iſland of *Jamaica*, and it is hereby enacted and ordained by the Authority of the ſame, That the Secretary of this Iſland, or the Perſon tranſacting or officiating as his Deputy, and the Clerk of the Supreme Court of Judicature of this Iſland, or the Perſon tranſacting or officiating as his Deputy for the Time being, do, and are hereby required, as ſoon as poſſible, and with all due Care, to look over the ſeveral Books of publick Records lodged in their reſpective Offices, and forthwith agree for the new Binding, with good and ſubſtantial Leathern Covers, all ſuch Books of publick Records in their reſpective Offices, which they ſhall find to have Occaſion for the ſame, at ſuch Rates and Prices as the Commiſſioners, in this Act hereafter mentioned, ſhall allow of and approve.

Secretary to look over the Records of this Iſland, and to direct the ſubſtantial Binding of them.

II. AND whereas ſeveral Deeds, Patents, Plats, and other Papers, in ſeveral Offices of this Iſland, are much worn, torn, and defaced; be it further enacted by the Authority aforeſaid, That whatever ſuch Deeds, Plats, Patents, or other Papers ſhall be thought neceſſary by the Commiſſioners herein after appointed, and the Officers of each Office aforeſaid, for his reſpective Office to be tranſcribed or new copied, the ſaid reſpective Officers ſhall cauſe the ſame, as ſoon as conveniently they can, to be ſo tranſcribed or new copied, taking due Regard, with all poſſible Exactneſs, to imitate the Original, leaving Blank and due Spaces for all ſuch Writings, Lines, and other Matters, as either become not legible or unintelligible: Which ſaid ſeveral Tranſcripts, or Copies of Deeds, Plats, Patents, or other Papers, ſhall be deemed, and are hereby declared to be valid and effectual Records, to all Intents and Purpoſes whatſoever, as the original Records themſelves were before the making of this Act.

Copies of Deeds, &c. may be made for the publick Offices, if thought neceſſary.

III. PROVIDED nevertheleſs, That the Officer of each publick Office of Record in this Iſland ſhall, with all poſſible Care, in the moſt cautious Manner, preſerve the ſaid original Records in his ſeveral and reſpective Office, and make Oath before the Chief Juſtice of this Iſland for the Time being, (who is hereby impowered and required to adminiſter the ſame) That the ſaid ſeveral Tranſcripts and Copies made in his reſpective Office are true and exact Copies of their ſeveral original Records, before the ſaid Tranſcripts or Copies ſhall be deemed as valid and effectual Records, as aforeſaid: Which ſaid Commiſſioners, and each of them, before he or they ſhall do any thing herein appointed, ſhall alſo take an Oath before the Chief Juſtice of this Iſland in the Words following, *viz.*

Proviſo.

I A. B. *Commiſſioner, appointed by an Act, entituled,* An Act for preſerving the publick Records of this Iſland, *do ſwear well and truly to execute the Truſt repoſed in me by the ſaid Act, without Prejudice, Favour, or Affection to the reſpective Officers in the ſaid Act mentioned, according to the beſt of my Skill and Knowledge.* So help me God.

Commiſſioner's Oath.

IV. AND whereas the Patents and Plats in the Patent Office of this Iſland have been kept in looſe and ſingle Papers, many of which are very much torn and defaced; be it enacted by the Authority aforeſaid, That the Clerk of the Patents, or the Perſon tranſacting or officiating as his Deputy for the Time being, do and is hereby required to procure, as ſoon as poſſible, a diſtinct Book for each Pariſh of this Iſland, well bound with a good and ſubſtantial Leathern Cover, wherein he ſhall and is hereby required to tranſcribe and copy the Patents and Plats of each diſtinct Pariſh, and make them agree with the Originals, as is before required, and likewiſe keep the ſaid Originals of the ſaid Patents and Plats as is before directed: Which ſaid Clerk of the Patents is hereby likewiſe required

Patents, &c. of every Pariſh to be entered in a Book.

to

1712. to provide a diſtinct Book, wherein to keep an Alphabet of the Names of the Patentees of the ſeveral Patents above mentioned.

Clerk of the Supreme Court to keep an Alphabet of all former Patents, &c.

V. And whereas ſeveral Patents and Plats have been formerly recorded in the Office of the Clerk of the Supreme Court of this Iſland; be it enacted by the Authority aforeſaid, That the ſaid Clerk of the Supreme Court do, and is hereby required to procure a Book, well bound with a good and ſubſtantial Leathern Cover, and therein to keep an Alphabet of all ſuch Patents, Plats, and Conveyances as have been recorded in his ſaid Office.

Preſſes, &c. to be provided for preſerving the publick Records.

VI. And for the further and better Preſervation of the publick Records for the future, be it enacted by the Authority aforeſaid, That the reſpective Officer of each ſuch publick Office ſhall provide a convenient Preſs or Preſſes for all the Books and Papers belonging to his Office, having good Doors with Locks and Keys: And that no Officer, as aforeſaid, ſhall for the future preſume to enter or tranſcribe any of the publick Records of this Iſland in any Book but what ſhall be bound with a good ſubſtantial Leathern Cover; and each of the ſaid Officers ſhall and are hereby obliged and required, as ſoon as poſſibly they can, to provide and procure for all the ſaid Books already lodged in their reſpective Offices, and ſuch as they ſhall have Occaſion for, for the future, a double or falſe Cover for their better Preſervation.

An alphabetical Liſt to be kept of the Names of Perſons, Parties to the Records.

VII. And that the Secretary of this Iſland, as ſoon as poſſibly it may be done, provide two diſtinct Books, and in each of them keep an Alphabet of the Names of the ſeveral Perſons, Parties to the Records kept in his Office; to wit, in the one the Name of each Grantor, Feoffor, Donor, &c. and in the other the Name of each Grantee, Feoffee, Donee, &c. leaving a diſcretionary Room between each Letter of the ſaid Alphabet, for inſerting ſuch a Number of Names as may make it of Uſe and Service for ſome conſiderable Time to come.

Commiſſioners appointed to enforce this Act.

VIII. And be it further enacted by the Authority aforeſaid, That *Samuel Vaſſal*, *William Careleſs*, and *Thomas Roſe*, Eſqrs. or any two of them, be and are hereby appointed Commiſſioners reſpectively, to perform and execute the ſeveral Truſts and Confidences in them, by this Act, repoſed; who are hereby further authorized and impowered to agree with the Workmen and Perſons to be employed, as aforeſaid, and likewiſe eſtimate and ſet a Value on whatever further Charges or Expences the ſaid ſeveral Officers ſhall be at in Execution of the ſeveral Premiſſes of them by this Act required, which ſaid Officers are hereby required to execute and perform the ſame; to be re-imburſed by a Fund to be raiſed, or an Appropriation for that Purpoſe, to be made by this or any other Aſſembly of this Iſland.

Penalty on Officers neglecting their Duty.

IX. And it is hereby further enacted, That whatſoever Officer or Officers of any of the publick Offices before mentioned, ſhall neglect his or their Duty, in not performing or complying with the ſeveral Particulars in this Act mentioned, ſhall, for each ſuch Offence, forfeit the Sum of One hundred Pounds; to be recovered by Action at the Supreme Court of Judicature of this Iſland, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed, or *Non vult ulterius proſequi* be entered; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

1715. ## *An Act for the more eaſy ſerving of Conſtables.*

Act 62. WHEREAS by the preſent Method of electing Conſtables, and by the great Number of commiſſioned and reformed Militia Officers, who pretend to be exempted from ſerving as Conſtables, the Burden of that Office has been chiefly laid upon a few, and thoſe of the middling Inhabitants of this Iſland, to the great Diſcouragement of the People, and to the driving of ſeveral out of this Iſland: For Remedy whereof, be it enacted by the Governor, Council, and Aſſembly, That from and after the firſt Day of *January* next, the Juſtices and Veſtrymen for the Time being, in their reſpective Pariſhes (except in the Pariſhes of

Juſtices, &c. of every Pariſh may hire Conſtables,

of *Port Royal*, St. *Catharine*, and *Kingston)* ſhall hire good and ſufficient Men to ſerve as Conſtables for their reſpective Pariſhes: And the Juſtices and Veſtrymen in their reſpective Pariſhes are hereby impowered and required, at the uſual Times of aſſeſſing their Pariſh Tax, to aſſeſs, tax, and levy yearly, a Sum not exceeding Twenty Pounds for each Conſtable to be ſo hired, over and above the uſual Taxes aſſeſſed and raiſed on the ſeveral Pariſhes by virtue of an Act of this Iſland, entituled, *An Act for the Maintenance of the Miniſters and Poor, and erecting and repairing of Churches*; which Conſtables ſhall be ſo hired on the ſecond *Tueſday* in *February*, in the Pariſhes of St. *Dorothy* and St. *Thomas in the Vale*, and on the ſecond *Tueſday* in *January* in every other Pariſh, and ſhall give ſuch Security as ſhall be approved of by the Juſtices and Veſtrymen; any Law, Statute, Cuſtom, or Uſage to the contrary hereof in any wiſe notwithſtanding. 1716. and pay them 20 *l. per Annum*, at the Pariſh Charge.

II. And if the ſaid Juſtices and Veſtrymen ſhall neglect their Duty herein, they ſhall reſpectively forfeit Five Pounds, current Money of this Iſland; one Half of which ſhall be to the Poor of the Pariſh, and the other Moiety to him or them that ſhall ſue for the ſame in any Court of Record within this Iſland. Penalty on Juſtices, &c. neglecting their Duty.

III. Provided always, That if the Juſtices and Veſtrymen in any Pariſh ſhall not be able to hire good and ſufficient Men to ſerve as Conſtables, that then Conſtables for ſuch Pariſh ſhall be choſen in the Quarter-ſeſſions as uſual. Proviſo.

An Act for Relief of Widows and Orphans, in Relation to Deficiencies. 1717.

Act 63.

WHEREAS by an Act of this Iſland now in Force, entituled, *An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, and to maintain ſuch as ſhall come over within a certain Time, or pay certain Sums of Money in caſe they ſhall be deficient, and applying the ſame to ſeveral Uſes*, among other things, it is therein enacted, That in each reſpective Pariſh within this Iſland, where there is not kept one white Man capable of bearing Arms, or a white Woman, Boy, or Girl, above the Age of fourteen, as ſhall hereafter arrive, in purſuance of the Act aforeſaid, for every twenty-four Slaves, young or old, one hundred and twenty Horſes, Mares, Mules, Aſſes, and neat Cattle, ſhall pay the Sum of five Shillings *per* Week, and ſo in Proportion to a leſſer Number, not amounting to a Deficiency; provided, that every free Mulatto, above the Age of ſixteen, ſhall paſs for half a Deficiency: Since the paſſing of which ſome Hardſhips have accrued to ſeveral Widows and Orphans now reſiding in this Iſland, by being exempted from the Benefit of paſſing for a Deficiency: For Remedy whereof, be it enacted by the Governor, Council, and Aſſembly of this Iſland, and it is hereby enacted and ordained by the Authority of the ſame, That all Widows and Orphans reſiding in this Iſland, and upon their Plantations and Settlements, and not having ſuch a Number of Slaves as ſhall amount to a Deficiency, according to the true Intent and Meaning of the Act aboveſaid, ſhall and are hereby exempted from all and every the Impoſitions, Pains, Penalties, and Forfeitures, mentioned and contained in the above recited Act; any thing in the ſaid Law, or any other to the contrary notwithſtanding. Widows, &c. not having ſuch a Number of Slaves as amount to a Deficiency, exempted from the Penalties in the former Act.

An Act for the more effectual puniſhing of Crimes committed by Slaves.

Act 64.

WHEREAS by ſeveral Laws of this Iſland, the Puniſhment of Death is to be inflicted on Slaves for committing ſuch Crimes as by the ſaid Laws are declared; which Crimes often remain undetected, by the Omiſſion of the Owners or Proprietors proſecuting ſuch Slaves: For the encouraging therefore the Diſcovery of all Crimes that ſhall hereafter be committed by any Slave as aforeſaid, be it enacted by the Governor, Council, and Aſſembly of this his Ma-

1717. jeſty's Iſland of *Jamaica*, and it is hereby enacted and ordained by the Authority of the ſame, * That in all Caſes where any Slave ſhall be put upon his Trial by the Owner, Proprietor, or Perſon entruſted with ſuch Slave, and ſhall ſuffer Death by the Sentence of ſuch Perſons as are impowered to pronounce the ſame, ſuch Perſon ſhall likewiſe enquire of his, her, or their Value, and certify the ſame under the Hands of the Majority of them (one of which ſhall be a Juſtice of the Peace) to the Commiſſioners for the Time being, for paying of Parties to be ſent out for ſuppreſſing rebellious and runaway Slaves; which ſaid Commiſſioners ſhall, out of the Fund provided or to be provided for that Purpoſe, pay to the Owner or Owners, whoſe Slave or Slaves the ſame were before Conviction, the full Value, he, ſhe, or they were valued at by the ſaid Perſons who tried and condemned him, her, or them, the ſaid Slave or Slaves; which ſaid Sum the ſaid Commiſſioners ſhall pay to the ſaid Owner or Owners in full Recompence of the Loſſes he, ſhe, or they have ſuſtained: And in all Caſes of Murder, the Owner or Owners of the ſaid Slave or Slaves killed, ſhall receive the full Value of ſuch Slave or Slaves, as well as the Owner or Owners of the Slave or Slaves executed for ſuch Murder.

Owner proſecuting his Slave, ſhall, if ſuch Slave be capitally convicted, receive the Value of him.

* *This and the next Clauſe repealed by* Act 124.

Proviſo. II. Provided always, That no one Slave ſhall be appraiſed at above the Sum of Forty Pounds, current Money of this Iſland; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Penalty on Commiſſioner not paying the Value of ſuch Slaves to the Owners of them, &c. III. And be it further enacted by the Authority aforeſaid, That if the ſaid Commiſſioner (having Money ſufficient in his Hands) ſhall refuſe to pay ſuch Sum or Sums of Money as ſuch Slave or Slaves ſhall be appraiſed at, upon producing a Certificate as aforeſaid, the Owner, Proprietor, or other Perſon intruſted with ſuch Slave, may bring an Action of Debt in the Supreme Court for the ſaid Sum ſuch Slave or Slaves were valued at; whereupon the Plaintiff, on Judgment obtained, ſhall recover treble Damages againſt the ſaid Commiſſioner; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

No Slave to be diſmembered at the Will of his Owner. IV. And be it further enacted by the Authority aforeſaid, That no Slave ſhall be diſmembered at the Will and Pleaſure of his Maſter, Owner, or Employer, under the Penalty of One hundred Pounds; to be recovered in any Court of Record againſt the Perſon who ſhall diſmember, or order the diſmembering of ſuch Slave or Slaves as aforeſaid; one Half whereof ſhall be to his Majeſty, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; the other Half to ſuch Perſon or Perſons who ſhall inform and ſue for the ſame.

Slave abſenting himſelf from his Owner's Service 30 Days, how to be puniſhed. V. But if any Slave, having been one whole Year in this Iſland, ſhall run away, and continue abſent from his Owner's Service for the Space of Thirty Days, upon Complaint and Proof made of ſuch Abſence by the Owner, Attorney, Truſtee, or Guardian, before any two Juſtices of the Peace and three Freeholders within this Iſland, purſuant to the Method and Directions preſcribed by an Act, entituled, *An Act for the better Order and Government of Slaves*, it ſhall and may be lawful for ſuch Juſtices and Freeholders to order ſuch Slave to be puniſhed, by cutting off one of the Feet of ſuch Slave, or inflicting ſuch other corporal Puniſhment as they ſhall think fit.

The Puniſhment of a Slave for Gaming. VI. And be it further enacted by the Authority aforeſaid, That if any Slave or Slaves ſhall be ſeen playing with Dice, Cards, or at any other Game whatſoever, whereby any Profit or Gain may ariſe, that ſuch Slave or Slaves, ſo ſeen or taken playing or gaming, ſhall, upon Complaint to any Juſtice of the Peace, be whipped through the Streets of the Town where ſuch Offence ſhall be committed; and in ſuch Pariſh where no Town is, in the moſt publick Place thereof, the Owner or Owners of ſuch Slave paying the Charge of ſuch Whipping.

Penalty on Retailers of Rum, &c. ſuffering Negroes to drink or game in their Houſes. VII. And whereas many and great Inconveniencies and Miſchiefs do and may ariſe and happen by the Retailers of Rum and Rum-punch entertaining of Negroes, and other Slaves drinking and gaming in their Houſes; be it therefore further enacted by the Authority aforeſaid, That no Retailers of Rum and Rum-punch, or other Liquors, from and after the firſt Day of *October* next, ſhall ſuffer any Negroe, or other Slave, to game or uſe any Sort of Play within their Houſes, or ſuffer any Slave or Slaves to meet to drink therein, under the

the Penalty of Forty Shillings; to be recovered before any Juſtice of the Peace in the Pariſh where the Offence ſhall be committed; one Half whereof ſhall be to ſuch Perſon as ſhall inform or ſue for the ſame, the other Half to the Poor of the Pariſh where the Offence ſhall be committed; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. 1717.

VIII. And whereas the permitting or allowing of any Number of ſtrange Negroes to aſſemble on any Plantation or Settlement, or any other Place, may prove of fatal Conſequence to this your Majeſty's Iſland, if not timely prevented: And foraſmuch as Negroes can, by beating on Drums, and blowing Horns, or other ſuch like Inſtruments of Noiſe, give Signals to each other at a conſiderable Diſtance of their evil and wicked Intentions; be it further enacted, That in one Month's Time after the paſſing of this Act, no Proprietor, Attorney, or Overſeer, preſume to ſuffer any Number of ſtrange Negroes, exceeding Five, to aſſemble on his Plantation or Settlement, or on the Plantation or Settlement under the Care of ſuch Attorney, or Overſeer; nor ſhall any Proprietor, Attorney, or Overſeer, ſuffer any beating on Drums, Barrels, Goards, Boards, or other ſuch like Inſtruments of Noiſe on the Plantations and Settlements, as aforeſaid, under his or their Care, under the Penalties hereafter mentioned; that is to ſay, every Proprietor or Attorney that ſhall offend contrary to the true Intent and Meaning of this Act, ſhall for every ſuch Offence forfeit Ten Pounds, current Money of this Iſland; and every Overſeer that ſhall offend contrary to the true Intent and Meaning of this Act, ſhall for every ſuch Offence forfeit the Sum of Five Pounds of the like current Money: All which Forfeitures ſhall be recovered before any Two of his Majeſty's Juſtices of the Peace, by him, her, or them that ſhall complain of the ſame; the one Moiety or half Part to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges of the ſame; the other Moiety or half Part to the Perſon or Perſons complaining; any Law to the contrary thereof notwithſtanding.

Penalty on Overſeer, &c. of Plantations ſuffering above five Negroes to aſſemble thereon at a Time, &c.

IX. And be it alſo further enacted, That any Juſtice of the Peace, upon Complaint made to him of ſuch drumming, blowing of Horns, or other ſuch-like Noiſes or Concourſe of Negroes, ſhall, within two Days after ſuch Complaint at fartheſt, iſſue out a Warrant under his Hand and Seal, directed to the Conſtable or Conſtables of the ſaid Pariſh, to demand and receive from every Perſon ſo offending the Forfeitures mentioned in this Act; and upon Refuſal or Non-payment, to diſtrain on his or their Goods and Chattels, and the ſame to ſell at publick Outcry, after ſix Days Notice given, by affixing upon a Paper in the moſt publick Place of the ſaid Pariſh all ſuch Goods ſo diſtrained on, before they ſhall preſume to diſpoſe of the ſame, reſerving to him or themſelves Six-Pence in the Pound for his or their Trouble; and the Overplus, after ſuch Deductions, to be paid to the Owners.

which ſhall be levied by Warrant from a Juſtice of Peace.

X. And be it alſo enacted by the Authority aforeſaid, That all Officers, Civil and Military, ſhall be, and are hereby impowered and required to enter into any Plantation, Settlement, or any other Place, to ſuppreſs and prevent all Drumming and other Noiſes, or Concourſe of Negroes, as above mentioned; any Law to the contrary thereof in any wiſe notwithſtanding.

Officers may enter all Places to prevent Negroes aſſembling.

XI. And be it alſo enacted, That every Juſtice of the Peace, or Military Officer, that ſhall refuſe to do his or their Duty herein, ſhall, for every ſuch Default, forfeit Twenty Pounds, current Money of this Iſland: And every Conſtable that ſhall neglect to do his or their Duty, according to the true Intent and Meaning of this Act, ſhall, for every ſuch Neglect, forfeit the Sum of Ten Pounds like current Money; every of which ſaid Forfeitures ſhall be one Half to the Informer, the other Half to the Poor of the Pariſh; to be recovered before any Two of his Majeſty's Juſtices of the Peace in the ſaid Precinct.

Penalty on Juſtices, &c. neglecting their Duty.

XII. And foraſmuch as the permitting of Mulattoes and Negroes to keep large Stock on Commons has occaſioned great Abuſes, they having deſtroyed the old Breeders, and marked the Young with their own Marks; be it therefore further enacted by the Authority aforeſaid, That no Mulatto or Negroe (free Mulattoes, Negroes, and *Indians*, having Settlements, and ten Slaves thereon, always excepted) ſhall hereafter preſume to keep any Horſes, Mares, Mules, Aſſes, or neat

1717. neat Cattle whatſoever, on Penalty of forfeiting the ſame; to be recovered before any Juſtice of the Peace in the ſaid Pariſh; one Half of which ſhall be to the Informer, the other Half to the Poor of the Pariſh in which ſuch Offence ſhall be committed.

Negroes, &c. keeping Horſes, &c. to forfeit the ſame.

XIII. Provided nevertheleſs, That any two of his Majeſty's Juſtices of the Peace in every Precinct may licenſe, and they are hereby impowered to licenſe and permit any Mulatto or Negroe (not being a Slave) to keep any ſuch Stock during their good Behaviour; any thing in this, or any other Law to the contrary notwithſtanding.

Proviſo.

XIV. And to the Intent that it may be known who are free, and that ſuch as are ſo may be diſtinguiſhed from thoſe that are Slaves; be it further enacted by the Authority aforeſaid, That every free Mulatto, Negro, or *Indian*, not having a Settlement and ten Negroes thereon, ſhall furniſh him or herſelf with a Certificate of his or her being free, under the Hand and Seal of any Juſtice of the Peace where ſuch Negroe or other Slave ſhall live, and a public Badge of a blue Croſs to be worn upon the Right Shoulder, to denote the ſame: And in caſe any ſuch Negro, Mulatto, or *Indian*, ſhall not be furniſhed with ſuch Certificate and Badge, it ſhall and may be lawful for any Perſon or Perſons, to ſeize, apprehend, and take up ſuch Negroe, Mulatto, or *Indian* (although free) and impriſon and uſe him or her as a Slave paſſing without a Ticket; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding.

Free Negroe to wear a Badge of a blue Croſs on his Right Shoulder, &c.

XV. And be it further enacted by the Authority aforeſaid, That every Captain, or ſome other Commiſſion-Officer, ſhall, at the Head of every reſpective Company and Troop in this Iſland, publiſh, or cauſe to be publiſhed, this preſent Act, on or before the firſt Day of *October* next, and once every ſix Months after, under the Penalty of Ten Pounds; to be recovered before any Two of his Majeſty's Juſtices of the Peace; one Half to the Informer, the other to the Poor of the Pariſh where ſuch Offence ſhall be committed.

This Act to be read at the Head of every Company every ſix Months.

XVI. And be it further enacted, That the Secretary ſhall deliver a Copy of this Act, within one Month after the paſſing the ſame, to each and every Pariſh within this Iſland, for which he ſhall receive the Sum of Twenty Shillings from the reſpective Church-wardens of the ſaid Pariſhes (to be paid out of the publick Stock of the Pariſh) and no more; any thing in this Act, or any other to the contrary notwithſtanding.

Secretary to deliver a Copy of this Act to every Pariſh.

An Act for the repairing, preſerving, and maintaining the Wall of Port Royal, *being now made uſe of as Part of his Majeſty's Fortifications.*

Act 65. WHEREAS by an Act of the Governor, Council, and Aſſembly of this Iſland (now in force) entituled, *An Act for raiſing a Revenue to his Majeſty, his Heirs and Succeſſors, for the Support of the Government of this Iſland, and for maintaining and repairing his Majeſty's Forts and Fortifications*, it is, amongſt other Things, therein enacted, That the Sum of One thouſand two hundred and fifty Pounds, ariſing as therein declared, be yearly, and every Year, paid and appropriated unto the repairing, building, and rebuilding of his Majeſty's Forts and Fortifications: And whereas the Wall of *Port Royal* is of great Importance, as well for reſiſting the Enemy in Time of War, as alſo for preventing the Sea from breaking in on the Town of *Port Royal*, and is taken into Poſſeſſion by his Majeſty, and made uſe of as Part of his Majeſty's ſaid Fortifications; the Benefit of which Wall muſt be in Time loſt, if not preſerved by maintaining and repairing the ſame; the great and unavoidable Charge whereof is repreſented as too great a Burthen on the Inhabitants of the ſaid Town, who are much impoveriſhed by the great Decay of all Trading; and Application having been made by the ſaid Inhabitants to this Aſſembly for granting them Aid in the Premiſſes: To the End therefore that the ſaid Wall may be at all Times hereafter maintained, preſerved, and kept in good Repair, we, your Majeſty's Aſſembly of this Iſland, do moſt humbly pray that it may be enacted, and be it enacted by the Governor, Council, and Aſſembly of this Iſland, and by the Authority of the ſame, That the

the Sum of One hundred and fifty Pounds *per Annum*, Part of the ſaid One thouſand two hundred and fifty Pounds ariſing by the ſaid recited Act, be yearly, and every Year, paid by the Receiver-general for the Time being, or ſuch Perſon as ſhall officiate in his Place, unto the Church-wardens of the Pariſh of *Port Royal*, and their Succeſſors; which ſaid Church-wardens of the Pariſh of *Port Royal*, and their Succeſſors, ſhall employ the Sum of One hundred and fifty Pounds *per Annum*, towards the repairing, preſerving, and maintaining the ſaid Wall at all Times hereafter, and to no other Uſe, Intent, and Purpoſe whatſoever. 1717. 150*l.* to be annually laid out in repairing the Wall of *Port Royal*.

II. AND be it further enacted by the Authority aforeſaid, That the ſaid Chuch-wardens of the Pariſh of *Port Royal*, and their Succeſſors, ſhall have, and they have by this Act full Power and Authority to lay out and expend the ſaid Sum of One hundred and fifty Pounds *per Annum*, for and towards the Uſes and Purpoſes for which the ſame are hereby given. The Church-wardens of *Port Royal* to lay out the ſaid Money.

III. PROVIDED, That ſuch Sums as ſhall be at any Time hereafter employed, laid out, or expended by the ſaid Church-wardens and their Succeſſors, by virtue of this Act, ſhall be ſo employed, laid out, or expended by the Advice and Conſent of the Juſtices and Veſtry of the ſaid Pariſh; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding. Proviſo.

An Act for the Encouragement of voluntary Parties to ſuppreſs rebellious and runaway Negroes. 1718.

ACT 66.

WHEREAS divers rebellious and runaway Slaves have formed themſelves into ſeveral Bodies, and of late have very much increaſed, by the Neglect of keeping up Standing-Parties for the entire ſuppreſſing of them: And whereas the ſeveral Laws for that Purpoſe have hitherto proved ineffectual; be it therefore enacted by his Majeſty's Governor, Council, and Aſſembly of this Iſland, and it is hereby enacted and ordained by the Authority of the ſame, That it ſhall and may be lawful to and for his Majeſty's preſent Governor, or the Governor or Commander in Chief for the Time being, or the Commanding-Officer in every Pariſh, diſtant at leaſt twenty Miles from the Town of St. *Jago de la Vega*, by Warrant under his Hand and Seal, to commiſſion ſuch Perſon or Perſons as he ſhall think fit to command any Party or Parties that will voluntarily inliſt themſelves to go out in Purſuit of the ſaid rebellious and runaway Slaves. Governor may commiſſion Perſons to command Parties to purſue runaway Slaves.

II. AND to encourage all ſuch Perſons as are ſo commiſſioned, or ſhall ſo inliſt themſelves in ſo neceſſary a Work, be it further enacted by the Authority aforeſaid, That every ſuch Party ſo commiſſioned, ſhall have and receive for every rebellious Slave above the Age of fourteen, they ſhall take alive or kill, the Sum of Fifty Pounds, current Money of this Iſland; to be paid them out of ſuch Fund or Funds as are or ſhall be applied to and for the Uſe of Parties; and ſhall alſo have and take to themſelves and their Heirs, every Boy, Girl, or Pick-a-ninny which they ſhall ſo take under the Age of Fourteen, together with all ſuch Plunder as they ſhall take from ſuch rebellious Slaves; which ſaid Fifty Pounds, and Slaves under the Age of Fourteen, and Plunder, are and ſhall be, and are hereby declared to be in lieu and full of all other Pay and Encouragements given in and by four ſeveral Acts, entituled, *An Act for raiſing Parties to ſuppreſs rebellious and runaway Negroes*; and one other Act, entituled, *An Act for the more effectual raiſing Parties to purſue and deſtroy rebellious and runaway Slaves*; and one other Act, entituled, *An Act for the further Encouragement of Parties, and more ſpeedy Reduction of rebellious and runaway Slaves*; and one other Act, entituled, *An Act for the better Order and Government of Slaves*. Clauſe for Encouragement of ſuch Parties.

III. AND be it further enacted by the Authority aforeſaid, That if any Hunter, Slave, or other Perſon, ſhall kill or bring in alive any rebellious Slave, the Maſter of ſuch Perſon and Perſons ſhall receive the ſame, and the like Sum of Money, Rewards, and other Encouragements given to the ſaid voluntary Parties, as aforeſaid, paying to the ſaid Hunter, or Slave, Ten Pounds, and a Coat with a red Hunter, &c. killing any rebellious Slave, to receive the ſame Reward, &c.

1718. Croſs on the Right-ſhoulder (excepting Hunters, hunting in the Pariſh of *Weſtmoreland*, who ſhall receive no Benefit by this Act, and who are totally excluded out of this Act) every ſuch Perſon producing a Certificate under the Hands and Seals of two Juſtices of the Peace of the Pariſh where ſuch Slave ſhall be ſo brought in or killed, which ſhall entitle him to the Profits and Advantages ariſing by this Act.

Negroes, &c. going off to the *French* Colonies, how to be puniſhed.

IV. And whereas great Inconveniencies happen to this Iſland, through ſeveral of the Negroes and other Slaves going off this Iſland to the *French* and *Spaniſh* Colonies; for Prevention whereof, be it enacted by the Authority aforeſaid, That all and every Negroe or Negroes, Slave or Slaves, that ſhall attempt to go off this Iſland, and be taken in ſuch Attempt; and all and every Slave or Slaves that ſhall actually go off this Iſland to the *French* or *Spaniſh Colonies*, and return or be brought back to this Iſland; all and every ſuch Negroe and Negroes, Slave and Slaves, ſo offending as aforeſaid, and being thereof convicted before two Juſtices and three Freeholders, ſhall ſuffer ſuch Pains and Puniſhments (according to the Nature of their Crime) as the ſaid Juſtices and Freeholders ſhall think fit.

Proviſo.

V. Provided always, That nothing herein contained ſhall be conſtrued, deemed, or taken to extend to repeal, diſannul, or make void either or any of the ſaid four recited Acts, entituled as aforeſaid, or any Article or Clauſe therein; but the ſame ſhall remain in as full Force and Virtue as they were before the paſſing of this Act, except what relates to the Encouragements and Rewards given by the ſaid recited Acts.

1719. *An Act to prevent the enticing or enveigling of Slaves from the Poſſeſſors; and for the preventing the Tranſportation of Slaves by Mortgagers and Tenants for Life and Years; and for regulating Abuſes committed by Slaves.*

Act 67. WHEREAS it hath been a Practice for People of this Iſland, under Colour or Pretence of Title, to entice and enveigle Negroe and other Slaves from the Poſſeſſors of them; and them ſo enticed or enveigled away, to ſend off this Iſland, or hide or conceal them in remote and diſtant Parts from ſuch Poſſeſſors; whereby great Inconveniencies have happened, to the utter Ruin of ſeveral Orphans and other Inhabitants of this Iſland, and Decay of the planting Intereſt: For Remedy whereof, be it enacted by the Governor, Council, and Aſſembly, and it is hereby enacted and declared by the Authority of the ſame, That no Perſon whatſoever ſhall take or detain any Negroe or Slave who hath been in Poſſeſſion of another for the Space of Six Months, without due Courſe of Law, upon Pain of forfeiting Forty Shillings to the Party aggrieved for every Day's Detainer.

40 s. Penalty for every Day's illegal Detainer of another's Slave.

Chief Juſtice, &c. upon Complaint of ſuch Detainer, may order the Slave to be reſtored.

II. And be it further enacted by the Authority aforeſaid, That upon Complaint made upon Oath to the Chief Juſtice of this Iſland, or to any Two Juſtices of the Peace, of the detaining any Negroe or Slave from ſuch Poſſeſſors otherwiſe than by due Courſe of Law, it ſhall and may be lawful for the Chief Juſtice, or the Juſtices unto whom ſuch Complaint ſhall be made as aforeſaid, to order the Offender and Offenders to reſtore the Negroe or Slave detained, and pay the Penalty and Forfeiture aforeſaid unto the Party grieved: And if any Perſon or Perſons ſhall refuſe or neglect to comply with, or perform ſuch Order hereafter to be made in the Grand Court for reſtoring of any Negroe or Slave, he, ſhe, or they ſo refuſing or neglecting the ſame, ſhall, for every ſuch Offence, forfeit the Sum of Fifty Pounds to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and be committed to the common Gaol until he, ſhe, or they have fulfilled ſuch Order, and paid the ſeveral Penalties and Forfeitures herein before mentioned.

III. And

1719.

III. And be it further enacted by the Authority aforeſaid. That if the Chief Juſtice or any Juſtices of the Peace, upon Complaint to him or them made as aforeſaid, ſhall refuſe, delay, or neglect doing his or their Duty herein, he or they ſhall for every ſuch Offence, his or their Neglect or Refuſal, forfeit the Sum of Fifty Pounds; one Half to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Moiety, or Half-part, to the Party grieved; to be recovered by Bill, Plaint, or Information in the Grand Court of this Iſland, wherein no Eſſoin, Inparlance, or Wager of Law ſhall be allowed; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Penalty on Chief Juſtice, &c. neglecting his Duty, touching ſuch Complaints.

IV. And whereas ſeveral Perſons holding, poſſeſſing, and enjoying Negroe and other Slaves as Tenants by the Courteſy of *England*, Tenants in Dower, Tenants for Life or Years, and Mortgagers of Negroes and Slaves, or thoſe deriving under them, heretofore uſed to ſend off from this Iſland, by Way of Merchandize or otherwiſe, ſeveral Negroes and Slaves, by them held and enjoyed under the Titles aforeſaid, to the great Prejudice of the Mortgagee, his Heirs or Aſſigns, and of him, her, or them to whom ſuch Negroe Slave or Slaves ought to deſcend or come after the Determination of ſuch particular Eſtate as aforeſaid: For Remedy whereof be it enacted by the Authority aforeſaid, That if any Tenant, by the Courteſy of *England*, Tenants in Dower, whilſt a Widow, or any Second or other Huſband of ſuch Tenant in Dower, or any Tenant for Life or Years, or any Mortgager, or any Perſon claiming by, from, or under him, ſhall ſend off from this Iſland (except by Order of Law) or otherwiſe diſpoſe of any Negroe or Slave, held, enjoyed, or poſſeſſed by him, her, or them, by the Courteſy of *England*, in Dower, or for Life or Years, or by any Mortgager, or other Perſon claiming by, from, or under a Mortgager, without the Conſent of the Mortgagee, his Heirs or Aſſigns, or of him, her, or them, in Reverſion or Remainder, or of him, her or them to whom ſuch Negroe or Slave, after the Determination of ſuch particular Eſtate, ſhould come to or deſcend, he, ſhe, or they ſo offending as aforeſaid, ſhall, for every Negro or Slave ſo ſent off from this Iſland, forfeit the Sum of One hundred Pounds to the Mortgagee, or others claiming under him, her, or them, or him her or them in Reverſion or Remainder, or to whom ſuch Negroe or Slave ſhould or might come after the Determination of ſuch particular Eſtate.

Clauſe to reſtrain certain Perſons ſending Negroes off this Iſland.

on Penalty of 100 *l.*

V. And whereas very great and many Inconveniencies have for ſome Time paſt ariſen, and do daily ariſe to the Inhabitants of this Iſland, particularly to the Inhabitants of the three Towns of St. *Jago de la Vega*, *Port Royal* and *Kingſton*, by reaſon that ſeveral Slaves belonging to unknown Perſons in this Iſland are clandeſtinely allowed, and do daily frequent the carrying on a private Trade, either on their own Accounts, or on Account of their Owners or Employers, for Arms, Ammunition, Proviſions, and other Neceſſaries; and alſo to hire themſelves out to work for a ſhorter or longer Time, and for their ſo doing, to pay to their reſpective Owners or Employers certain daily, weekly, or monthly Allowances; which oftentimes occaſion them (if they cannot get Work or Employment) to commit Thefts and Robberies to raiſe Money to ſatisfy the Contracts and Agreements made with their Owners to Employers; to the manifeſt Decay of Trade, and the Ruin and Deſtruction of ſeveral Inhabitants of this Iſland: for the Prevention whereof for the future, be it enacted by the Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That from and after the Firſt Day of *March* next enſuing, no Negroe, Mulatto, or *Indian* Slave ſhall hire themſelves out to work, either aſhoar, or on board any Ship or Veſſel, Boat, Wherry, or Canoe, in any Harbour, Creek, Bay, or River in this Iſland; or offer themſelves to hire without the Licence or Conſent, Privity, Knowledge, or Direction of their reſpective Owner or Owners, or the Perſon or Perſons who have or hath the immediate Care, Government and Direction of ſuch Slave or Slaves, under his, her, or their own Hands, in Writing, firſt had and obtained for ſuch particular Work as the ſaid Slaves ſhall reſpectively hire or offer to hire themſelves, and teſtified by one or more of his Majeſty's Juſtices of the Peace of the Pariſh or Precinct where the Owner or Owners,

Negroes hiringthemſelves out to work, without Conſent of their Owners, to be whipt at the Diſcretion of a Magiſtrate.

1719. Owners, Employer or Employers of ſuch Slave or Slaves do or ſhall inhabit; every ſuch Slave or Slaves ſo offending, ſhall be whipt at the Diſcretion of any Magiſtrate in the Pariſh or Precinct where ſuch Slave or Slaves ſhall offer themſelves to hire (without ſuch Licence, as aforeſaid) not exceeding one and thirty Laſhes: And that if any Juſtice of the Peace, upon Complaint to him made upon Oath, ſhall neglect or refuſe to put this Law in Execution, he ſhall for every ſuch Neglect or Refuſal, forfeit the Sum of Twenty Pounds of current Money of this Iſland; one Half to his Majeſty, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Half to ſuch Perſon or Perſons who ſhall inform or ſue for the ſame; to be recovered in his Majeſty' Supreme Court of Judicature of this Iſland, in which Suit no Eſſoin or Wager of Law ſhall be allowed.

VI. And whereas ſeveral Inhabitants of this Iſland do ſuffer and encourage the aforeſaid Slaves not only to build Cottages, and Huts, in the Savannahs and waſte Grounds, but alſo do let or hire Houſes, Cottages, Huts, or Lodgings unto the aforeſaid Slaves by the Day, Week, Month, Quarter, Year, or other greater or leſſer Term, who are ſuffered and permitted by their Owners and Employers to work and employ themſelves in what Manner and whereſoever they ſhall think fit, provided they pay their Owners to Employers a certain Sum of Money daily, weekly, monthly, or yearly; which hath oftentimes occaſioned ſeveral Theſts and Robberies, in order to comply with their Contracts and Agreements, and to ſave themſelves from the Severities of their Maſters and Miſtreſſes (nay, even by them encouraged thereto) to ſatisfy their unreaſonable Demands; which Practices have been found very prejudicial to the Inhabitants of this Iſland, ſuch Slaves having for ſome Time paſt been countenanced and protected as well by their Maſters and Miſtreſſes in ſuch their evil Doings, as by thoſe who rent them Houſes or Lodgings: For the Prevention whereof for the future, it is hereby further enacted and ordained by the Authority aforeſaid, That if any Owner or Owners, Employer or Employers of any ſuch Slave or Slaves, or any other Inhabitant of this Iſland, ſhall, from and after the ſaid Firſt Day of *March*, ſet, let, or hire any Houſes, Cottages, Huts, or Lodgings to any ſuch Slave or Slaves, or ſhall permit, encourage, or countenance them, or any of them, to build any Dwelling-houſe or Houſes, Cottages, or Huts, in any Towns, Savannahs, waſte Grounds, Lanes, Roads, or Paths in this Iſland, in order to hire themſelves out to work, or to carry on any Trade, Shop, or Employment; or ſhall wittingly, willingly, or knowingly ſuffer any ſuch Slave or Slaves to hire themſelves out to work, or to follow any Trade or Employment without ſuch Licence as aforeſaid; or ſhall contract or agree with any ſuch Slave or Slaves for any certain Sum of Money, or other Thing whatſoever, by the Day, Week, Month, or Year or any greater or leſſer Time, and to go abroad where ſuch Slave or Slaves ſhall think fit, in caſe they comply with their Agreement; every ſuch Owner and Owners, Employer and Employers of any ſuch Slave or Slaves, and all and every other Perſon and Perſons whatſoever, having the Care or Direction of ſuch Slave or Slaves, ſhall forfeit the Sum of Fifty Pounds of current Money of this Iſland: One Moiety, or Half Part thereof, unto our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Half to the Informer or Informers, or him, her, or them who ſhall ſue for the ſame; to be recovered in his Majeſty's Supreme Court of Judicature in this Iſland, in which Suit no Eſſoin or Wager of Law ſhall be allowed; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Penalty on letting of Houſes to Slaves; and on ſuffering them to work for Hire.

VII. And it is hereby further enacted by the Authority aforeſaid, That upon Complaint made to any of his Majeſty's Juſtices of the Peace for the Precinct, where ſuch Offence ſhall be committed, of the ſetting up or building any ſuch Dwelling-houſe or Houſes, Cottages, or Huts, in any Town, Savannah, waſte Grounds, Lanes, Roads, or Paths, or of their having been already built or erected; every ſuch Juſtice of the Peace is hereby authorized and impowered and required forthwith to order and direct, by Warrant for that Purpoſe, to all or any the Conſtables of the ſaid Precinct, ſuch Houſes, Cottages, and Huts to be pulled down and deſtroyed; and upon Neglect or Refuſal, ſuch Juſtice of the Peace ſhall

Juſtice, upon Complaint of Huts, &c. being erected, ſhall order them to be pulled down.

ſhall forfeit the Sum of fifty Pounds current Money of this Iſland: One Moiety whereof ſhall be to his Majeſty, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Moiety to ſuch Perſon or Perſons who ſhall ſue for the ſame; to be recovered in the Supreme Court of Judicature in this Iſland, in which Suit no Eſſoin or Wager of Law ſhall be allowed; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding. 1719.

An Act to encourage the Settling the North-eaſt Part of this Iſland. 1721.

ACT 68.

WHEREAS the greateſt Part of the Tract of Land within the Bounds repreſented by the Plat hereunto annexed, ſituate in the ſeveral Pariſhes of St. *Thomas in the Eaſt*, and St. *George*, lies wholly unſettled, though it hath been granted by his late moſt gracious Majeſty King *Charles* the Second, in ſeveral Parcels, to divers Inhabitants of this Iſland, in order to ſettle the ſame paying thereout certain Rents to his Majeſty and his Succeſſors; for a good Part whereof no Quit-rents have been paid to his ſaid Majeſty or his Succeſſors, from the Year of our Lord One thouſand ſix hundred ninety and two, to the firſt Day of *February*, in the Year of our Lord One thouſand ſeven hundred and three, or within Eighteen Months afterwards: And the preſent Owners and Proprietors thereof do not reſide within this Iſland, nor have any Effects to anſwer ſuch Quit-rents; whereby not only his Majeſty is deprived of his ſaid Quit-rents due thereout, but alſo the Land lies wholly waſte and uncultivated, and is thereby become a Receptacle for runaway and rebellious Negroes.

II. AND whereas there is good Reaſon to believe that many Perſons, with their Families and Slaves, would remove hither and ſettle amongſt us, could they be ſecure of Land in Proportion to their Families and Slaves; which would tend very much to the enriching as well as Security of this Iſland, and augmenting the Trade of *Great Britain:* For the Encouragement whereof, be it enacted by the Governor, Council, and Aſſembly of this his Majeſty's Iſland of *Jamaica*, and it is hereby enacted by the Authority of the ſame, That all Lands within the above mentioned Tract, whereof the Owners or Proprietors do not reſide in this Iſland, nor have any Effects in the ſame, to anſwer the Quit-rents, and for which no Quit-rents have been paid ſince the Feaſt of St. *Michael* the Arch-angel, in the Year of our Lord One thouſand ſix hundred and ninety two, or within Eighteen Months after the Firſt Day of *February* which was in the Year of our Lord One thouſand ſeven hundred and three, and that have not paid Quit-rents for the ſame before the Beginning of this Seſſion of Aſſembly, or that ſhall not, within Thirty Days after the paſſing of this Act, pay the Quit-rents for the ſame, ſhall be veſted in his Majeſty and his Succeſſors, for the Uſes, Intents, and Purpoſes herein after expreſſed; that is to ſay, That the Governor for the Time being do, and he is hereby impowered and obliged to grant all Lands forfeited or veſted by this Act, or by any other Ways or Means whatſoever, in his Majeſty, his Heirs and Succeſſors, in the Manner and Proportion following, *viz.* To every white Perſon, being a Proteſtant, that ſettles and dwells on the ſaid Tract, thirty Acres of Land; for every white Perſon he or ſhe hath in Family, being alſo Proteſtants, and for every free Mulatto, *Indian*, or Negroe, twenty Acres of Land; and for each Slave he or they ſhall bring with them, and put and keep upon the ſaid Tract, five Acres of Land, and no more.

Lands owned by Perſons who reſide not on this Iſland, and have not paid their Quit-rents, may be granted to other Perſons, &c.

III. PROVIDED, That no Perſon, not having fifteen white Perſons in Family, that dwell thereon, ſhall have above Four hundred Acres in the whole, under this Proviſo and Condition, that they, their Heirs, or Aſſigns ſettle and plant the ſame, or ſome Part thereof, within Six Months from the Date of their Patent; and that ſuch Patentee, or his Heirs, ſhall not diſpoſe thereof in Seven Years after the Date of ſuch Patent, either in Poſſeſſion, Reverſion, or Remainder. Proviſo.

IV. PROVIDED always, That any Perſon under the Age of Twenty-one Years, Woman under Coverture, or Perſon of unſound Memory, ſhall ſettle and plant Proviſo.

1721. thereon within one Year after ſuch Perſon ſhall attain the Age of Twenty-one Years, or Woman under Coverture ſhall become ſole, or Perſon of unſound Memory ſhall become *Compos Mentis*.

Perſons obtaining ſuch Lands obliged to ſettle and plant upon the ſame within 12 Months.

V. And be it further enacted and ordained by the Authority aforeſaid, That all preſent Owners and Proprietors of any Land within the above mentioned Tract, their Heirs, or Aſſigns, ſhall be obliged to ſettle and plant upon the ſame, or ſome Part thereof, and go forward with ſuch Settlement, without Intermiſſion, within Twelve Months from and after ſuch Time as Twenty Settlements ſhall be made within the aforeſaid Tract of Land, and an actual Re-ſurvey thereof made, or ſhall forfeit the ſame to his Majeſty and his Succeſſors, to the ſame Uſes, Intents, and Purpoſes, as are the Lands hereby declared forfeited for Non-payment of Quit-rents; and to be granted likewiſe in the ſame Manner and Proportion, and under the ſame Conditions and Proviſoes, as are above mentioned touching the ſame.

Proviſo.

VI. Provided always, That any Perſon under the Age of Twenty-one Years, Woman under Coverture, or Perſon of unſound Memory, ſhall ſettle and plant on the ſame in Manner aforeſaid, within one Year after ſuch Perſon ſhall attain the Age of Twenty-one Years, or Woman under Coverture ſhall become ſole, or Perſon of unſound Memory ſhall become *Compos Mentis*.

Guardians to ſettle the Lands of Infants.

VII. And in order to encourage Settlements in the ſaid Tract, be it further enacted by the Authority aforeſaid, That the Guardian or Guardians of any Infants, having Lands within the ſaid Tract, ſhall and may, for the Uſe and Benefit of ſuch Infants, improve and ſettle any Parcel of Land within the ſaid Tract belonging to any ſuch Infant; and that the Charge of ſuch Improvements ſhall be allowed of in his or their Accounts.

No Lands to be conveyed to Infants but by laſt Wills.

VIII. And be it further enacted, That no Owner or Poſſeſſor of Lands within the ſaid Tract, ſhall convey or make over the ſame to any Infant, otherwiſe than by laſt Will and Teſtament, under any other Limitation than are the Lands to be granted within the ſaid Tract.

Lands veſted in the Crown, may be re-granted.

IX. And whereas divers Parcels of Land within the above mentioned Tract are become eſcheated or eſcheatable to his Majeſty or his Predeceſſors, and other Parcels thereof have been ſurrendered back unto the Crown, and ſome Part of the ſaid Land have never been granted out of the Crown: We your Majeſty's moſt dutiful and loyal Subjects, the Aſſembly of this your Majeſty's Iſland of *Jamaica*, do, for the Encouragement of the Settling the aboveſaid Tract of Land, humbly beſeech your Majeſty that it may be enacted; be it therefore enacted by your Majeſty's Governor, Council, and Aſſembly of this your Iſland, and it is hereby accordingly enacted by the Authority of the ſame, That the Governor for the Time being be, and is hereby impowered, and ſhall alſo be obliged to grant in his Majeſty's Name, his Heirs, and Succeſſors, all Lands within the above mentioned Tract, veſted in your Majeſty by any of the laſt above mentioned Ways or Means, in the ſame Manner and Proportion, and under the ſame Proviſoes and Conditions, as is above mentioned concerning the Land forfeited or to be forfeited by this Act for Non-payment of Quit-rents.

Clauſe in a former Act ſuſpended for three Years.

Directions for Provoſt-marſhal to proceed upon a Writ of Eſcheat.

X. And whereas by an Act, entituled, *An Act for Prevention of Law Suits*, it is, amongſt other Things, thereby enacted and declared, That in all Writs of Eſcheat thereafter to be granted, the Provoſt-marſhal be commanded to enquire by a Jury of Twelve free and lawful Men upon their Oaths (they then being on the Premiſſes) the true Value of all and ſingular the Real Eſtate, which any Perſon ſo dying without Heirs, was at the Time of his Death ſeiſed of: And whereas it appears both difficult and expenſive for a Jury to go on ſeveral Parts of the above mentioned Tract of Land; be it therefore enacted by the Authority aforeſaid, That that Part of the ſaid Clauſe relating to the Jury's being on the Premiſſes when they are to find an Eſcheat, be, and is hereby ſuſpended for the Space of Three Years, for and in reſpect to any Eſcheats hereafter to be found within any of the above mentioned Tract of Land only: And that it ſhall and may be lawful to and for the Provoſt-marſhal, upon any Writs of Eſcheat to iſſue within three Years next after the paſſing this Act, for any Lands within the ſaid Tract, to ſummon a Jury in any of the three Towns of St. *Jago de la Vega*, *Port Royal*, and *Kingston*,

Kingston, to enquire if the ſaid Land be eſcheated to the King, and ſhall return ſuch Inquiſition to the then next Grand Court; upon which Inquiſition and Return, if found for the King, Judgment ſhall paſs for the King, unleſs a Traverſe be then entered, which Traverſe ſhall be tried the next Court after, and Judgment affirmed. 1721.

Judgment being given for the King upon ſuch Writ, to bar all Perſons, &c.

XI. And be it further enacted by the Authority aforeſaid, That whenſoever Judgment ſhall paſs for the King upon any ſuch Writ of Eſcheat to iſſue within the Time aforeſaid, and for any Parcel of Land within the ſaid Tract, the ſaid Land ſhall be, and is hereby declared to be abſolutely veſted in his Majeſty, his Heirs, and Succeſſors, to the Uſes, Intents, and Purpoſes in this Act mentioned; and that ſuch Judgment ſhall be, and it is hereby declared to be a perpetual Bar to all Perſons whatſoever, having or pretending to have, or claiming Right or Title to the ſame; any thing in this Act, or any other Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Perſons obtaining a Grant of ſuch Lands, diſcharged from all Arrears of Quit-rents,

XII. And be it enacted by the Authority aforeſaid, That for a further Encouragement of ſettling the above mentioned Tract of Land, all Lands hereafter to be granted within the ſame, in purſuance and by virtue of this Act, ſhall be acquitted and diſcharged of and from all Arrearages of Quit-rents due for the ſame, to the Date of the reſpective Patents; and all Grants and Patents to be granted of any Land within the ſaid Tract, ſhall be without Fee or Reward, or other Charge; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

and Settlers from all Taxes for 7 Years.

XIII. And it is further enacted, That all Settlers within the ſaid Tract ſhall be freed from all Manner of Taxes and Charges, both General and Parochial, whatſoever, for the Space of Seven Years, Quit-rents only excepted.

A Re-ſurvey to be made of the ſaid Lands, and returned into the Secretary's Office, &c.

XIV. And be it further enacted by the Authority aforeſaid, That for the better aſcertaining the reſpective Bounds to the ſeveral Parcels of Land heretofore granted within the above mentioned Tract, a Re-ſurvey be made by *Jonathan Shaw*, *Michael Rivers*, and *Nicholas Holſt*, Surveyors, or any Two of them, within Twelve Months from the paſſing of this Act, or as ſoon after as conveniently may be, not exceeding Eighteen Months in the whole; and in caſe of the Death or Inability of any Two of them, then by any ſuch other Surveyor or Surveyors as the Governor for the Time being ſhall appoint: which Re-ſurvey ſhall be returned under the Hands and Seals of the ſaid Surveyors, or any Two of them, and recorded in the Secretary's Office of this Iſland within Three Months after the finiſhing the ſaid Re-ſurvey; which ſaid Re-ſurvey ſo recorded, as aforeſaid, ſhall be concluſive to, and aſcertain the Bounds of each individual Plat between Party and Party within that Tract; and that after ſuch Re-ſurvey made and recorded, all preſent Owners and Proprietors in the above mentioned Tract, their Heirs and Aſſigns, ſhall pay their ſeveral and reſpective Proportions and Shares of the Charge of ſuch Re-ſurvey to ſuch Surveyors: And in order to compleat the ſame, the Governor or Commander in Chief is hereby impowered to appoint ſuch a Party or Parties of Men to attend the ſaid Surveyors, or barrack them near the ſaid Settlements, as he ſhall think fit: And that Fifty Acres of Land be reſerved and laid out by an Eaſt and Weſt Line, for a Town to be built at *Pattiſon's Point*; and that the Governor for the Time being is hereby impowered, and ſhall be obliged to grant to all Merchants and Traders, and their Heirs, that may be willing to build within the ſaid Town; and to all and every Perſon or Perſons, and their Heirs, who ſhall make any Settlement within the above mentioned Tract of Land, Forty-five Foot in Front, and Ninety Foot of Land deep in the ſaid Town.

Surveyors to be ſatisfied for their Trouble, and the Charges of the Paſſages of Perſons coming to ſettle here to be paid by Receiver-general, &c.

XV. And for a further Encouragement for People to come and ſettle on the ſaid Tract of Land, be it enacted by the Authority aforeſaid, That the Receiver-general for the Time being ſhall, out of any Fund or Funds in his Hands unappropriated, diſburſe and pay the ſaid Surveyors according to the Laws of this Country, for their Labour and Pains in and about the ſaid Re-ſurvey; and alſo ſhall diſburſe and pay the Paſſages of all ſuch as have or ſhall come over to ſettle on the Encouragement of this Act on the ſaid Tract of Land, as ſhall require it; and likewiſe

1721. likewiſe ſupply ſufficient Plantation Proviſions for them and their Slaves for Six Months, or borrow Money at Intereſt, not exceeding Twelve Pounds *per Cent.* for Intereſt, for the ſaid Uſes, which ſhall come over within Two Years; which ſaid Sums ſo to be expended or borrowed by him ſhall be allowed or made good by this or any future Aſſembly.

XVI. And whereas it would tend much to the Encouragement of People to ſettle on the ſaid Tract of Land, to have the Path or Road from *Plantain Garden River* to the River *Grandee* cleared and opened, and be a mighty Diſcouragement to the rebellious and runaway Slaves reſiding and inhabiting within that Tract of Land: Be it enacted by the Authority aforeſaid, That a Road or Path be laid out, or the Old Road or Path be cleared and kept open at the joint Charge of both the Pariſhes of St. *Thomas in the Eaſt* and St. *George*, and that the Juſtices and Veſtry of each Pariſh do immediately proceed to the clearing of the ſaid old Road, or the laying out or clearing of a new one, ſo as to make the ſame paſſable both for Man and Horſe.

A Road to be laid out at the Charge of the Pariſhes of St. *Thomas* and St. *George*.

XVII. And whereas it is neceſſary, for the Safety and Protection of ſuch as ſhall come and ſettle on the ſaid Tract of Land, that there ſhould be a ſufficient and proper Tract of Land together and adjacent, veſted in his Majeſty, his Heirs and Succeſſors, for the Uſes aforeſaid, to lie moſt convenient for the Reception of the ſaid Settlers: And whereas the following Parcels of Land near *Port Antonio* and River *Grandee*, *viz.* One thouſand Acres, formerly belonging to *Whitgift Aylmer*, but ſurrendered; One thouſand and fifty Acres, lately belonging to *Nicholas Eſmith*; One hundred and eighty Acres, lately belonging to *John Shewell*; Two hundred and ten Acres, to *John Cope*; and adjacent to which two laſt Parcels are One thouſand Acres of King's Land; Three hundred Acres, lately belonging to *R. Fidler*; One thouſand Acres to *Nicholas Smith*, ſold to Lord *Vaughan*; One thouſand ninety four Acres to *Nicholas Richardſon*, ſold to *Edward Stanton*, but recovered by *Nicholas Richardſon*; One thouſand Acres, lately belonging to *Francis Mingham*; One thouſand Acres to *John Moon*; One thouſand Acres, lately belonging to *Edward Halſted*, but meaſures two or three thouſand Acres, now in the Poſſeſſion of Mr. *Lawrence Halſtead*; *Anthony Yeates*, One hundred eighty Acres; *Roger Stevenſon*, One hundred ſixty Acres; *John George*, Four hundred and fifty Acres; *William Gray*, Three hundred Acres; *Robert Weſton*, One hundred eighty Acres; and alſo ſeveral Parcels of Land bounded on *Rio Grandee*; *John Whight*, One thouſand Acres; *William Vincent*, Five hundred and ten Acres; *Thomas Martyn*, Five hundred Acres; *John Yeomans*, Two hundred and ten Acres; *Nicholas Smith*, Five hundred Acres; *Thomas Pearſon*, One thouſand five hundred Acres; *William Womach*, Five hundred ſixty Acres; *Jane Williams*, Four hundred Acres; *Reginold Wilſon*, One thouſand Acres; *John Aſhly*, Sixty Acres; Captain *Howard*, Two hundred and Ten Acres, *viz.* One hundred and twenty, and Ninety Acres; *George Gallop*, One thouſand Acres; *William* and *John Doves*, One thouſand; Sir *Charles Littleton*, One thouſand three hundred Acres; Capt. *Nicholas Smith*, One hundred Acres; Be it therefore enacted by the Authority aforeſaid, That *Ezekiel Gomerſall*, *Peter Beckford*, and *Andrew Arcedekne*, Eſquires, ſhall and are hereby appointed Commiſſioners to treat with the Owners and Attornies, and agree for the Price of all and every the ſaid recited Parcels of Land that are not already veſted, or ſhall not hereafter be veſted in his Majeſty by Forfeiture, Eſcheat or otherwiſe, as aforeſaid: and upon ſuch Agreement made, and Report to the Receiver-general, he is hereby required and impowered to pay for the ſame out of any Fund or Funds unappropriated, or raiſe Money at Intereſt, at Twelve Pounds *per Cent. per Ann.* which ſhall be made good to him by this or any future Aſſembly; which ſaid Lands ſo to be purchaſed, from and after the Payment of the ſaid Purchaſe-money, ſhall be, and are hereby declared to be veſted in his Majeſty, his Heirs and Succeſſors, to ſuch Uſes, Intents, and Purpoſes, as are the Lands forfeited or forfeitable by this Act, for Non-payment of Quit-rents, and to no other Uſe or Purpoſe whatſoever. Provided, That not above a Fifth Part of the ſaid laſt mentioned ſeveral Parcels of Land ſhall be granted to any Perſon or Perſons reſiding in this Iſland.

Commiſſioners appointed for purchaſing the ſaid recited Lands.

XVIII. And

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XVIII. And whereas a few Perſons are already come to this Iſland, on the Encouragement of the Governor's Letter, to ſettle amongſt us; which is ſince conſidered by the Aſſembly, and by them reſolved, That as they have been here ſome Time on Expences, that an Allowance be granted them, that they may the better quit themſelves of their preſent Engagements of Abode, as well as enabling them to diſcharge their Debts, otherwiſe they cannot embrace the Opportunity of ſettling at *Port Antonio*, now given by this Act: Be it therefore enacted by the Authority aforeſaid, That the Receiver-general, immediately after the paſſing of this Act, do pay unto the Commiſſioners herein before appointed, a Sum not exceeding One hundred Pounds, out of the Money now ariſing by virtue of an Act, entituled, *An Act to impoſe Duties on ſeveral Commodities, to defray the extraordinary Charges of the Government, and applying the ſame to ſeveral Uſes*, paſſed in the Year of our Lord One thouſand ſeven hundred and twenty, by them to be diſtributed amongſt ſuch new Comers as the ſaid Commiſſioners ſhall think neceſſary, for the Purpoſe aforeſaid.

Clauſe for Relief of Perſons already come to ſettle on this Iſland.

An Act to impower the Pariſhioners of the Pariſh of Kingſton *to erect proper Buildings for a Court-Houſe and Exchange, at the Charge of the Inhabitants of the ſaid Pariſh.*

Act 69.

Whereas by an Act of the Governor, Council, and Aſſembly of this Iſland, entituled, *An Act for making* Kingſton *a Pariſh*, it has been (for the Encouragement of Trade and better Regulation of the ſaid Town) enacted and ordained, That there ſhould be erected, eſtabliſhed, and held in the ſaid Town a Quarter-ſeſſions for the Conſervation of the Peace, and a Court of Common-Pleas, for the ſpeedier and eaſier determining of Differences: And whereas it is highly neceſſary and convenient that there ſhould be proper Buildings erected, as well for holding the ſaid Courts of Juſtice, as the meeting of Merchants and others, for the better carrying on of Commerce and Trade: We, your Majeſty's moſt dutiful and loyal Subjects, the Aſſembly of this your Majeſty's Iſland of *Jamaica*, beſeech your Majeſty that it may be enacted, and be it enacted by the Governor, Council, and Aſſembly of this Iſland, and it is hereby enacted by the Authority of the ſame, That the Juſtices and Veſtry of the ſaid Pariſh of *Kingſton*, or the major Part of them, ſhall, on any Day they ſhall think convenient, meet, and lay an equal Pound-rate, or ſuch other Tax as they ſhall think proper, on the Inhabitants of the ſaid Pariſh, for the erecting and building proper and convenient Buildings for a Court-Houſe and Exchange, for the Uſes aforeſaid, ſo as the ſaid Pound-Rate or Tax do not exceed the Sum of One thouſand Pounds; and that a Roll of the ſaid Pound-Rate or Tax ſo made, ſhall be delivered into the Hands of the Conſtables of the ſaid Pariſh, with a Warrant thereunto annexed, ſigned by any Two Juſtices of the Peace for the ſaid Pariſh, impowering him or them to levy the ſaid Pound-Rate or Tax, and upon Refuſal to diſtrain the Goods or other Effects of him ſo refuſing; and the Diſtreſs ſo taken to ſell at publick Outcry, firſt giving Five Days Notice of the Place and Hour of the intended Sale, by affixing up an Account thereof, at the moſt noted and publick Place in the ſaid Town of *Kingston*, and the Money thereby ariſing to pay into the Hands of the Church-wardens for the Time being, who are to return the Overplus, if any be, to the Owner thereof, after Deduction of Three Pence in the Pound for levying the ſame; any Law, Cuſtom or Uſage to the contrary in any wiſe notwithſtanding.

Juſtices may lay a Tax on the Inhabitants of *Kingſton* for building a Court-houſe, &c.

1721. *An Act to ſuſpend a Clauſe in an Act, entituled,* An Act for aſcertaining, eſtabliſhing, and more ſpeedy collecting her Majeſty's Quit-Rents; *and for the future Eaſe of the Inhabitants of this Iſland, and better diſcovering his Majeſty's Quit-rents.*

Act 70. WHEREAS by an Act, entituled, *An Act for aſcertaining, eſtabliſhing, and more ſpeedy collecting her Majeſty's Quit-Rents,* paſſed in the Year of our Lord One thouſand ſeven hundred and three, it is therein and thereby, among other Things, enacted, That for the more ready collecting her Majeſty's Quit-rents from thenceforth to become due and payable, all Owners and Proprietors of Land within this Iſland that ſhould thereafter alien, ſell, or convey any Part or Parcel of Land to any Perſon whatſoever, the ſaid Buyer and Purchaſer of ſuch Land ſhould and was thereby required, within the Space of Three Months after any ſuch Alienation, Sale, or Conveyance, to give an Account of the ſame to the Receiver-General, or his Deputy, in Writing, expreſſing his own Name, the Name of the Pariſh, Quantity of Land, and the Perſon of whom he purchaſed the ſame, and the Bounds thereof reſpectively, to the Intent the Receiver-General might know from whom the Quit-Rents from that Time became due and payable, under the Penalty that ſuch Purchaſer ſhould forfeit the Sum of Ten Pounds: And whereas the ſaid Clauſe in the ſaid Act has been ſince found to be inconvenient, and the Ends thereby propoſed not fully anſwered, in regard no mention is made therein of Patents for Land hereafter to be granted, ſo that his Majeſty is nothing the more aſcertained from whom the Quit-rents of Land become due: For Remedy whereof, and to the End his Majeſty's Quit-rents may be aſcertained, and the Inhabitants eaſed of the Penalties and Forfeitures already incurred by virtue of the ſaid Clauſe, be it enacted by the Governor, Council, and Aſſembly of this his Majeſty's Iſland of *Jamaica*, and it is hereby enacted and ordained by the Authority aforeſaid, That from and after the firſt Day of *December* next, the Secretary of this Iſland for the Time being ſhall be, and is hereby impowered, obliged, and required to tranſmit to the Receiver-General for the Time being, or his Deputy, a Docket of all and every Deed or Patent for Land which ſhall be brought into his Office (to be recorded within Twenty Days after the ſame comes into his ſaid Office) therein ſetting forth the Name of ſuch Purchaſer or Patentee, and the Name of him or them that convey the Lands, the Name of the Pariſh, Quantity of Land, and the Buttings and Boundings thereof: to the Intent the Receiver-General may know from whom the Quit-rents for that Time become due and payable, for which he ſhall aſk, demand, and take ſeven Shillings and ſix Pence, and no more; that is to ſay, two Shillings and ſix Pence for his own Trouble in tranſmitting ſuch Docket to the Receiver-General, as aforeſaid, and five Shillings for the Receiver-General, as is in the before recited Act directed to be paid him, under the Penalty of forfeiting the Sum of Twenty Pounds current Money for every Neglect.

Secretary to tranſmit to Receiver-general a Docket of all Deeds and Patents of Land brought into his Office, &c.

Clauſe in a former Act ſuſpended for 3 Years.

II. And be it further enacted by the Authority aforeſaid, That the before recited Clauſe in the ſaid Act be, and is hereby ſuſpended for and during the Term of three Years, to commence from the ſeventeenth Day of *October* laſt paſt: And that all Actions already brought or commenced againſt any Perſon or Perſons whatſoever, and now depending, or which ſhall be brought, proſecuted, or commenced againſt any Perſon or Perſons whatſoever, for or by Reaſon, or upon Account of the before recited Clauſe, ſhall be, and are hereby diſcontinued without Coſts: And all Penalties and Forfeitures ſo incurred, as aforeſaid, by virtue of the ſaid recited Clauſe, be and are hereby remitted and releaſed to all and every Perſon or Perſons whatſoever. Provided, That every Perſon or Perſons, who have neglected to give ſuch Account to the Receiver-General, or his Deputy, of all Deeds ſince the paſſing of the ſaid Law, and before the firſt Day of *December*, One thouſand ſeven hundred and twenty two, ſhall give ſuch Account as is hereby directed; then, and in ſuch Caſe, they ſhall be indemnified from all or any the Penalties and

and Forfeitures in the ſaid recited Clauſe mentioned, otherwiſe they ſhall be ſtill liable to ſuffer for the ſame; any thing in this Law to the contrary notwithſtanding. 1721.

III. AND to the Intent this Act may be made publick and known for the future, be it enacted by the Authority aforeſaid, That the Juſtices of the ſeveral and reſpective Pariſhes within this Iſland ſhall, at the firſt Quarter-ſeſſions of the Peace to be held after the paſſing this Act, cauſe it to be publiſhed, on Penalty of Fifty Pounds for every ſuch Juſtice who ſhall neglect his or their Duty herein; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. This Act is to be made publick.

IV. AND be it further enacted by the Authority aforeſaid, That the Secretary of this Iſland for the Time being be, and is hereby required to tranſmit a Copy of this Act unto the Church-wardens of the ſeveral Pariſhes in this Iſland within thirty Days after the paſſing the ſame; and that he have and receive for his Pains the Sum of Ten Shillings of current Money of this Iſland for each Copy, to be paid by ſuch Church-wardens out of the Pariſh Stock. and all Church-wardens to have a Copy of it.

An Act for the more eaſy obtaining of Partitions of Lands, Tenements, Negroes, and other Hereditaments, in Joint-tenancy, Tenancy in common, and Coparcenary.

ACT 71.

WHEREAS the Proceedings upon Writs of Partition between Copartners at the Common-Law, Joint-tenants and Tenants in common, are found by Experience to be tedious, chargeable, and oftentimes ineffectual, by reaſon of the Difficulty of diſcovering the Perſons of thoſe who have undivided Parts and Purparts of ſuch Lands, Tenements, Negroes, and other Hereditaments to be divided, and the defective and dilatory executing and returning of Proceſs, and other Impediments in making and eſtabliſhing of Partition, whereby ſeveral Parcels of Land lie altogether uncultivated, unſettled and unmanured, to the great Prejudice of ſeveral of his Majeſty's good Subjects of this Iſland, as well as the Hinderance of the further ſettling of the ſame: For Remedy whereof, We, your Majeſty's moſt dutiful and loyal Subjects, the Aſſembly of this your Iſland of *Jamaica*, humbly beſeech your Majeſty, that it may be enacted by the Governor, Council, and Aſſembly of this Iſland, and it is hereby enacted by the Authority of the ſame, That from and after the firſt Day of *November*, One thouſand ſeven hundred and twenty one, after Summons or other Proceſs in Partition returned, and Affidavit made by the Provoſt-marſhal, or his Deputy or Deputies, or by any other Perſon, of due Notice given of the ſaid Writ of Partition to the Tenant to the Action, or to the lawful Attorney or Attornies, Agent or Agents of ſuch Tenant (if to be found within this Iſland) whoſe Power is proved and recorded in the Secretary's Office of this Iſland one Month at leaſt before the iſſuing forth of ſuch Writ or Summons in Partition; and where the Tenant to ſuch Action is not, nor cannot be found within this Iſland, or any Attorney or Attornies of his, whoſe Power is proved and recorded, as aforeſaid, to the Tenant in Poſſeſſion or Occupier of ſuch Lands, Tenements, Negroes, and other Hereditaments, whereof the Partition is demanded, if any ſuch there be other than the Demandant; and in Caſe there be none in Poſſeſſion but the Demandant, then a Copy of ſuch Summons or other Proceſs in Partition being left on the Premiſſes fourteen Days at leaſt before the next enſuing Court, if the Tenant or Tenants to ſuch Writ, or the true Tenant to the Lands, Tenements, Negroes, or other Hereditaments, ſhall not appear, or cauſe an Appearance to be entered in ſuch Court where the ſaid Writ is returnable, then in Default of ſuch Appearance, the Demandant having entered his Declaration, the Court may, and are hereby required and impowered to proceed to examine the Demandant's Title and Quantity of his Part and Purpart, and according as they ſhall find his right Part and Purpart to be, they ſhall for ſo much give Judgment by Default, and award a Writ to make Partition, whereby ſuch Proportion, Part, and Purpart may be ſet out ſeverally; which being executed and returned, and thereon final Judgment entered, the ſame ſhall be good, and conclude all Perſons

After Proceſs in Partition is returned, *&c.* Court may award a Partition, altho' the Tenant in the Action, *&c.* does not appear.

1721. ſons whatſoever, whatever Right or Title they may have, or claim to have in any the Lands, Tenements, Negroes, and other Hereditaments, mentioned in the ſaid Judgment or Writ of Partition, although all Perſons concerned are not named in the Proceedings, nor the Title of the Tenant or Tenants truly ſet forth.

Proviſo. II. Provided always, That if ſuch Tenant or Perſon concerned, or either of them, againſt whom, or their Right or Title, ſuch Judgment by Default is given, ſhall within the Space of one Year from the entering the firſt Judgment, apply themſelves to the Court where ſuch Judgment is entered by Motion, and ſhew a good and probable Matter in bar of ſuch Partition, or that the Demandant hath not Title to ſo much as he hath recovered, then, and in ſuch Caſe, the Court may ſuſpend or ſet aſide ſuch Judgment, and admit the Tenant and Tenants to appear and plead, and the Cauſe ſhall proceed according to the due Courſe of the Law, as if no ſuch Judgment had been given; and if the Court upon hearing thereof, ſhall adjudge for the firſt Demandant, then the firſt Judgment ſhall ſtand confirmed, and be good againſt all Perſons whatſoever, and the Perſon or Perſons ſo appealing ſhall be awarded thereupon to pay treble Coſts; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding.

1722. ## *An Act for eſtabliſhing a perpetual Anniverſary Faſt on the Twenty-eighth of* Auguſt.

Act 72. WHEREAS it hath pleaſed Almighty God, on the Twenty-eighth of *Auguſt*, in the Year of our Lord One thouſand ſeven hundred and twelve, and on the ſame Day in this preſent Year, juſtly to puniſh the Inhabitants of this Iſland by two moſt dreadful and amazing Storms, which not only laid waſte the Eſtates and Habitations of the Inhabitants in general, but alſo deſtroyed ſome Numbers of People near the Sea-coaſts: Now therefore, that ſo ſignal a Viſitation may be had in perpetual Remembrance, and that we and our Poſterity, by humbling ourſelves, may endeavour to appeaſe the Almighty's imminent Wrath, and prevent more tremendous Judgments; we, your Majeſty's moſt dutiful and loyal Subjects, the Governor, Council, and Aſſembly of this your Iſland of *Jamaica*, do moſt humbly beſeech your Majeſty that it may be enacted; be it

The 28th of *Auguſt* to be annually kept as a Day of Faſting and Humiliation.

therefore enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted and ordained by the Authority of the ſame, That every twenty-eighth Day of *Auguſt* (unleſs it falls out to be on the Lord's Day, and then the Day following) ſhall be for ever hereafter ſet apart to be kept and obſerved by all the Inhabitants of this Iſland, as an Anniverſary Day of Faſting and Humiliation; and that all and every the Inhabitants aforeſaid, ſhall upon the ſaid Day annually reſort to ſome publick Place of Worſhip, where Prayers and Preaching are uſed to be miniſtred, and there orderly and devoutly abide during the Celebration of Divine Service, by Prayers, Preaching, ſinging of Pſalms, *&c.*

Miniſter to give Notice the *Sunday* before, and preach a Sermon ſuitable to the Occaſion, *&c.*

II. And to the End that all Perſons may be put in Mind of their Duty therein, and be the better prepared to diſcharge the ſame with that Piety and Devotion that becomes them, be it further enacted, That every Miniſter ſhall give Notice to his Pariſhioners in the Church or other publick Place of Divine Worſhip at Morning Prayer the *Sunday* preceding every ſuch twenty-eighth Day of *Auguſt*, for the Obſervation of the ſaid Day, and that he provide a Sermon ſuitable to that Occaſion; and that in ſuch Pariſhes where there is no Miniſter, this Act ſhall be publiſhed annually in the Seſſions next, before the twenty-eighth Day of *Auguſt*, as aforeſaid.

No Work to be done, nor Shops, *&c.* kept open.

III. And be it further enacted and ordained by the Authority aforeſaid, That no Perſon or Perſons whatſoever, neither by themſelves, Servants, or Slaves, ſhall do or cauſe to be done any Manner of Work in his or their Trade, Calling, or Planta-

Plantation; and that no Shop, Tavern, Coffee-Houſe, or Punch-Houſe, be kept open on the ſaid Day, on Penalty of forfeiting Forty Shillings for every Perſon, by himſelf, Servant, or Slave, ſo offending as aforeſaid; to be recovered before any of his Majeſty's Juſtices of the Peace, who are hereby required and impowered to award the ſame; one Half of which Forfeiture ſhall be to the Church-wardens, for the Uſe of the Pariſh; and the other Half to the Informer, or him, her, or them that ſhall ſue for the ſame. 1722.

An Act for preventing the Frauds, and regulating the Abuſes in Trade.

Act 73.

WHEREAS it hath been a Practice of late in this Iſland, for Importers to ſell ſeveral Goods and Merchandizes of the Growth of *Great Britain*, *Ireland*, and *America*, by Invoice and not by Weight, and by falſe Meaſures; which Practice tends to the Encouragement of Fraud and Deceit in that Sort of Trade: To the Intent a ſpeedy Stop may be put to the Continuance and Growth of ſuch Practices for the future, We your Majeſty's moſt dutiful and loyal Subjects, the Aſſembly of this your Iſland of *Jamaica*, moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by the Governor, Council, and Aſſembly of this Iſland, and by the Authority of the ſame, That if any Perſon or Perſons whatſoever, from and after the firſt Day of *July*, in the Year of our Lord One thouſand ſeven hundred and twenty-three, ſhall ſell or expoſe to Sale any Boards or Timber of any Kind, of the Produce of any Iſland or Colony in *America*, which ſhall not hold out in Meaſure according to the Number of Feet they ſhall be marked to contain; that then ſuch Boards or Timber which ſhall be ſo wanting in Meaſure, ſhall be meaſured by a ſworn Meaſurer to be appointed by the Juſtices in Seſſions at the two Towns of *Port Royal* and *Kingston*, and ſhall be burnt and deſtroyed by the Cryer of the Pariſh for the Time being, who ſhall be paid by the Church-wardens, out of the Pariſh Stock for the ſame, five Shillings *per* thouſand for each thouſand of Boards or Timber which he ſhall ſo burn as aforeſaid.

Boards, &c. wanting of the Meaſure they are marked to contain, to be burnt by the common Cryer.

II. And be it further enacted by the Authority aforeſaid, That no Perſon or Perſons whatſoever, from and after the Time aforeſaid, ſhall ſell or expoſe to Sale any Staves or Shingles that ſhall be imported into this Iſland, from any Colony in *America*, of leſs than the following Dimenſions; that is to ſay, Staves for Hogſheads or Pipes, not leſs than forty-two Inches in Length, and four in Breadth; and Shingles, not leſs than the Length of eighteen Inches, and the Breath of five Inches; and if ſuch Staves ſhall be leſs than forty-two Inches in Length and four Inches in Breadth, or Shingles leſs than eighteen Inches in Length and five Inches in Breadth, that then ſuch Staves or Shingles ſhall be burned and deſtroyed by the Cryer of the Pariſh for the Time being, who ſhall be paid by the Church-wardens out of the Pariſh Stock for the ſame, five Shillings *per* thouſand for each thouſand of Staves or Shingles which he ſhall ſo burn as aforeſaid: And in caſe the Owner or Importer of ſuch Staves, Boards, and Shingles ſhall delay, refuſe, or deny delivering the ſame to the ſaid Cryer, for every Hour he ſhall by ſuch Delay, Refuſal, or Denial prevent the Execution of this Law, he ſhall forfeit Forty Shillings; to be recovered by Warrant from any Juſtice of the Peace: And every Cooper, or other Perſon, that ſhall make or expoſe to Sale any Hogſheads of any Staves that ſhall not hold out in Breadth and Length as herein before is directed, ſhall, for every ſuch Hogſhead he ſhall ſo ſell or expoſe to Sale, forfeit Thirty Shillings; to be recovered by Warrant from any Juſtice of the Peace; one Moiety of which ſaid Forfeitures ſhall be to the Uſe of the Poor of the Pariſh where ſuch Offence ſhall be committed, and the other to him or them who ſhall inform or proſecute for the ſame.

The Dimenſions of Staves, &c. to be ſold here.

III. And whereas the Inhabitants of this Iſland are defrauded by thoſe who import and ſell Liquors in Bottles which hold not near the Quantities they are ſaid to contain; be it therefore enacted, and it is hereby enacted and ordained by

Liquors ſold in Bottles which hold not full Quarts, &c. forfeited.

1722. by the Authority aforeſaid, That from and after the firſt Day of *July*, in the Year of our Lord One thouſand ſeven hundred and twenty-three, all Bottle-Liquor imported into this Iſland in Bottles, and for Sale, which ſhall not hold full Quarts or Pints, ſhall be forfeited to the Uſe of the Poor of the Pariſh where the ſame ſhall be offered to Sale.

Goods ſold by Invoice which ought to be ſold by Weight, forfeited.

IV. And be it enacted by the Authority aforeſaid, That no Perſon or Perſons ſhall, from and after the firſt Day of *July*, in the Year of our Lord One thouſand ſeven hundred and twenty-three, ſell or cauſe to be ſold any Goods, Wares, or Merchandizes whatſoever by Invoice, which ought to be ſold by Weight, under the Penalty or Forfeiture of the Goods ſo ſold and delivered by Invoice; to be applied, the one Half to the Uſe of the Poor of the Pariſh where ſuch Goods ſhall be ſold, the other Half to the Informer, or him or them that ſhall ſue for the ſame; to be recovered before any two of his Majeſty's Juſtices of the Peace, whereof one to be of the *Quorum*; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding.

An Act for laying out a Road from a Place called the Cave, *in the Pariſh of* Weſtmoreland, *over the Mountains, to the North-eaſt Part of the ſame Pariſh, or to the Weſt End of St.* James's, *as the Commiſſioners ſhall think moſt convenient.*

Act 74. WHEREAS the preſent Highway, from the *Cave*, in the Pariſh of *Weſtmoreland*, to the North-eaſt Part of the ſame Pariſh, is very inconvenient and dangerous, both by reaſon of the Quickſands along the Sea-ſhore, the Unpaſſableneſs of the Road in the rainy Time of the Year, the ſeveral dangerous Rivers that Travellers are obliged to wade through, and the Length of the Way, proves very inconvenient and dangerous to the ſeveral Inhabitants of the ſaid Pariſh, who are obliged to travel it at all Times of the Year on publick Services: And whereas, by ſeveral credible Perſons that have travelled in the Woods between the *Cave*, in the Pariſh of *Weſtmoreland*, and the Weſt End of St. *James's*, it hath been found that a more commodious and ſhorter Way may be cut through the Woods, from the *Cave* over the Mountains to the North Side of the ſaid Pariſh: And it being requiſite, as well for his Majeſty's Service in conducting ſpeedy Succours to each Place, as a Means of a ſpeedy Correſpondence between the North and South Sides of this Iſland, and likewiſe of great Uſe to your Majeſty's liege Subjects, that a publick Road be laid out from the *Cave* aforeſaid to the North-eaſt Part of the ſame Pariſh, or the Weſt End of St. *James's*, as the Perſons hereafter appointed ſhall think moſt convenient: Be it therefore enacted by the Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That a new Highway or Road ſhall be with all convenient Speed run, cut, and made, leading from the *Cave* in the Pariſh of *Weſtmoreland*, over the Mountain to the North-eaſt Part of the ſame Pariſh, or the Weſt End of St. *James's*, as the Commiſſioners, or any two or more of them hereafter named, ſhall think fit and convenient.

A new Road to be cut from *Weſtmoreland* Pariſh to St. *James's*.

A Survey of which Road ſhall be taken, and returned to the Commiſſioners,

II. And be it further enacted by the Authority aforeſaid, That the Commiſſioners for the ſaid Road hereafter named and appointed, or any two or more of them, ſhall and may, and they are hereby impowered and required to adminiſter an Oath to the Surveyor of the Highway, or Way-wardens of the ſaid Pariſhes, forthwith, upon the Return of the Surveyor or Surveyors, to run and lay out the ſaid Road or Highway to the Commiſſioners, or any two or more of them, in this Act to be hereafter named, which ſaid Surveyors are to be appointed by the ſaid Commiſſioners, or any two or more of them; and after ſuch Return to be made and delivered by the Surveyor or Surveyors to the ſaid Commiſſioners, or any two or more of them, the ſaid Commiſſioners are to deliver the ſame to the Way-wardens of the Highways, who ſhall thereupon forthwith proceed to the Execution and Diſcharge of their ſeveral and reſpective Duties, as is hereby required; which ſaid Highway ſhall be cut ſixty Feet in Breadth, and well cleared by the Way-wardens, with ſuch Number of Negroes belonging to the ſaid Pariſhes where

where the ſaid Road ſhall be found to extend, as by the ſaid Commiſſioners, or any two or more of them, ſhall be thought convenient; and the ſaid Highway or Road being ſo cut and cleared, ſhall for ever after be deemed and taken as a publick Road, and ſhall, as often as Occaſion requires, be maintained, repaired, cleared, and kept in good Order by the Way-wardens of the ſaid two Pariſhes of *Weſtmoreland* and St. *James*, ſo far as the ſaid Road ſhall be found in either of the two aforeſaid Pariſhes to extend. 1722.

III. AND to prevent all Diſputes which may ariſe about the Bounds of the two Pariſhes aforeſaid, or otherwiſe touching the Execution and Performance of this Law, be it further enacted and ordained by the Authority aforeſaid, That *Peter Beckford*, *John Moor*, and *John Lewis*, Eſqrs. Mr. *Francis Acres*, Mr. *John Blagrave*, and Mr. *Hugh Kirkpatrick*, jun. or any Two or more of them, be and are hereby appointed Commiſſioners, to inſpect and take care of the due Execution of this Act; which ſaid Commiſſioners, or any Two or more of them, ſhall and are hereby required to meet at *Queen's Town*, in the Pariſh of *Weſtmoreland*, on the Thirtieth of *January* next, or within twenty Days after, and there to chooſe and appoint one lawful and ſworn Surveyor, who ſhall immediately proceed to the running out of ſuch a Path as by this Act is appointed, with the moſt Conveniency to the Publick, and the leaſt Prejudice to any particular Perſon, from the *Cave* in the Pariſh of *Weſtmoreland*, to the North-eaſt Part of the ſaid Pariſh, or the Weſt End of St. *James'*; and ſhall run out and fix the Bounds of the ſaid Pariſhes, according as the ſame is appointed by a former Act of this Country for the Diviſion of the ſaid Pariſhes; and the ſame ſo aſcertained ſhall be marked with diſtinguiſhing Marks on good and durable Timber, and for ever be kept and maintained, and the ſaid Marks to be cut in good legible Characters, and the ſame ſhall always be deemed as the Boundaries of the ſaid two Pariſhes, and which the ſaid two Pariſhes reſpectively are hereby obliged to clear and for ever maintain: And in caſe the Surveyor or Surveyors to be choſen by the Commiſſioners, or any two or more of them reſpectively, ſhall neglect or refuſe immediately to proceed to the running out the intended Path and Line aforeſaid, that then and in ſuch Caſe he ſhall reſpectively forfeit Fifty Pounds; and the Surveyor is hereby further required, as ſoon as he hath finiſhed the ſaid Path or Line, to make a Return to the ſaid Commiſſioners, or any Two of them, who ſhall cauſe the ſame to be recorded by the Clerk of the Peace of either of the ſaid Pariſhes; and that the ſaid Surveyor ſhall be paid by the Church-wardens of each Pariſh for the Work by him done on Account of each Pariſh, as ſhall be adjudged by the Commiſſioners aforeſaid, or any Two or more of them, to be paid out of the Pariſh Stock reſpectively, together with all other the Charges, to the reſpective Officers for putting this preſent Act in Execution, not herein before provided for.

Who are to execute this Act, &c.

IV. AND it is hereby further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any Two or more of them, having received the Return of the Surveyor as aforeſaid, ſhall cauſe two Copies of the ſame to be fairly drawn out, one whereof they ſhall forthwith ſend to the Way-wardens of the Pariſh of *Weſtmoreland*, and the other to the Pariſh of St. *James*, with their ſtrict Orders to each and every of them in Writing, that they reſpectively, as before in this Act is appointed, immediately proceed to the cutting down and clearing the ſaid Highway, ſo as the ſame may be compleated and finiſhed within twelve Months after the paſſing this Act: And for the better effecting thereof, the ſaid Way-wardens of the ſaid Pariſhes, and every of them reſpectively, are hereby authorized to iſſue out their Warrants to the Conſtables and Tythingmen to warn all the Inhabitants of the ſaid Pariſhes to furniſh ſuch Number of able Negroes, together with ſuch a Number of white Men Drivers to overſee them, as ſhall be appointed by the Commiſſioners in this Act mentioned, or any Two or more of them; together with ſuch Tools, Proviſions, and other Neceſſaries, as ſhall be thought by them needful for bringing in the ſaid Work, and finiſhing the ſame within the Time herein limited and appointed: And whoſoever ſhall neglect or refuſe to ſend his or her Proportion of able working Slaves with ſuch Tools and Neceſſaries as ſhall be appointed by the ſaid Commiſſioners, or any Two or more of

A Copy of the Surveyor's Return to be delivered to each of the two Pariſhes, and the Road finiſhed within 12 Months, &c.

1722. of them, ſhall for every Slave ſo wanting pay Three Shillings and Nine-Pence *per* Day; to be recovered before any Juſtice of the Peace, as in all Caſes of Forty Shillings; any thing in this, or any other Act to the contrary thereof in any wiſe notwithſtanding.

Penalty on Way-wardens neglecting their Duty,

V. And if the ſaid Way-wardens, or any of them, ſhall refuſe or neglect to do his or their Duty in cutting or clearing the ſaid Highway to the Extent of their reſpective Bounds, as is hereby appointed, he or they ſo offending, ſhall reſpectively forfeit the Sum of One hundred Pounds, current Money of this Iſland.

and on future Way-wardens,

VI. And in caſe the ſaid Highway ſhall be neglected, and not maintained in good Repair by ſucceeding Way-wardens, he or they that ſhall ſo offend therein, ſhall reſpectively lie under the Pains and Penalties provided in an Act of this Iſland, entituled, *An Act for the Highways.*

and Surveyors, &c.

VII. And if any Surveyor or Commiſſioner by this Act appointed ſhall neglect his or their Duty touching the Premiſſes, or any Part thereof, he or they ſhall reſpectively forfeit the Sum of Fifty Pounds.

Penalty on Conſtables, &c. neglecting their Duty.

VIII. And if any Conſtable or Tythingman ſhall neglect his or their Duty, they ſhall reſpectively forfeit Twenty Pounds: All which ſaid Forfeitures herein before mentioned, ſhall be one Half to the Informer, or to him or them that ſhall ſue for the ſame; and the other Half to the Commiſſioners, or any of them, for the Uſe of the ſaid Highway: And all Forfeitures in this Act mentioned, not exceeding Forty Shillings, ſhall be recovered by the ſaid Commiſſioners, or any of them, before any Juſtice of the Peace; and if above that Sum, by Action of Debt in any Court of Record in this Iſland, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed, or *Non vult ulterius proſequi* be entered; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding.

Application of Penalties.

An Act for ſettling the North-eaſt Part of the Iſland.

Act 75. WHEREAS all the Land within the Bounds repreſented by the Plat hereunto annexed, ſituate in the ſeveral Pariſhes of St. *Thomas in the Eaſt* and St. *George*, lies wholly unſettled, though moſt Part of it hath been granted by his late Moſt Gracious Majeſty King *Charles* the Second and his Succeſſors, in ſeveral Parcels, to divers of their Subjects, with a Deſign that the ſame ſhould be ſettled and manured, and the Rents reſerved in the ſaid ſeveral Grants duly paid: And foraſmuch as little or none of the ſaid Rents have been hitherto paid, nor is there any Part of the ſaid Tract of Land ſo granted, cultivated, or manured, nor are there any Settlements thereon, whereby his Majeſty is defrauded of his ſaid Rents, and the Conſideration for granting the ſaid Lands evaded: And whereas divers Parcels of Land within the ſaid Tract are now veſted in the Crown, by Eſcheat, Surrender, or otherwiſe, ſo that the whole is become a Receptacle for rebellious and runaway Negroes and Slaves, to the great Diſcouragement of the Peopling and Settling this Iſland, and Expence of the Inhabitants in ſupporting and maintaining Parties to ſuppreſs rebellious and runaway Negroes; yet the Proprietors of ſuch Parcels of the ſaid Land as are not now in the Crown, little regarding your Majeſty's Intereſt, the Good and Welfare of this Iſland, or the Advantage of it made to your Majeſty's Kingdom of *Great Britain*, but propoſing unreaſonable Gain to themſelves, neglect paying the Quit-rents due to your Majeſty, or ſettling or cultivating their or any of their ſeveral Parcels of Land within the ſaid Tract, although they and each of them well know that the ſaid Pieces or Parcels of Land were given and granted to them or their Anceſtors with an Intent and View of their being ſettled, in purſuance of his late Majeſty King *Charles* the Second's Proclamation, but have likewiſe neglected or refuſed to treat and agree with the Commiſſioners nominated and appointed in an Act of the Governor, Council, and Aſſembly of this Iſland, entituled, *An Act to encourage the Settling the North-eaſt Part of this Iſland*, for purchaſing ſuch Parcels of Land within the ſaid Tract as were judged neceſſary to be veſted in your Majeſty, your Heirs, and Succeſſors, for the Uſes in the ſaid Act mentioned: And whereas it is neceſſary, for the Safety and Protection of ſuch as

as ſhall be inclined to ſettle on the ſaid Tract of Land, that there ſhould be at leaſt Thirty thouſand Acres, in which twenty Acres of the Eaſtermoſt End of *Ruther*'s or *Lynch*'s Iſland, for the erecting a Town and Fortification, ſhall be included, together and adjacent, butting and bounding Part Weſterly on River *Grandee*, Eaſterly on Part of the ſaid Tract, Southerly alſo on other Part of the ſaid Tract, and Northerly on the Sea, laid out and allotted for the Conveniency of beginning a Settlement on the ſaid Tract of Land: And foraſmuch as ſuch Part of the ſaid Thirty thouſand Acres ſo judged proper to be allotted for the Encouragement and Commodity of the firſt Settlers, as is the Property of ſome of your Majeſty's Subjects, is worth Five Shillings, current Money, *per* Acre, and no more, to be ſold: Be it enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted and ordained by the Authority of the ſame, That ſuch Part of the ſaid Thirty thouſand Acres as is not already veſted in your Majeſty, be, and the ſame and every Part thereof is hereby veſted and declared to belong to your Majeſty, your Heirs and Succeſſors, to and for the Uſes and Purpoſes in this Act hereafter mentioned. 1722.

Clauſe for veſting in his Majeſty ſuch Part of the 30,000 Acres as is not already veſted in him.

II. AND becauſe ſeveral Controverſies and Debates may ariſe touching and concerning the reſpective Intereſts of the Proprietors and Owners of all or any the Lands within the Bounds of the ſaid Thirty thouſand Acres, as to their ſeveral Demands, and the reſpective Sums their ſaid ſeveral and reſpective Parcels of Land ſhall amount to, according to the Valuation aforeſaid: And to the end that all Controverſies and Diſputes touching the Premiſſes may in an eaſy and ſummary Way be determined, and each Man's Right and Intereſt appear, and to aſcertain the Quantum that each Man's particular Eſtate or Intereſt in all or any the ſaid Lands will amount to, according to the above Valuation of Five Shillings *per* Acre; be it enacted by the Authority aforeſaid, That *William Croſs*, Eſq; Deputy Receiver General, or the Receiver, or Deputy Receiver General for the Time being, are hereby ſucceſſively impowered, authorized, and ſhall and may ſummarily determine, by Inſpection of Deeds, Writings, Records, and otherwiſe, at his Diſcretion, all and all Manner of Rights, Eſtates, and Intereſts; and all Controverſies and Debates that may happen to ariſe concerning the Premiſſes, or any Part thereof, and ſhall have Power to ſend for any Perſon or Perſons, and oblige them to produce upon Oath their Deed, Writings, or Title relating to any of the ſame; and the ſaid *William Croſs*, or the Receiver, or Deputy Receiver General for the Time being, are hereby required and obliged to cauſe all their Judgments and Decrees to be fairly entered in a Book to be kept for that Purpoſe, in which Judgment the Number of Acres, or Parcel of Land, with its Abuttals and Boundaries, together with the Name or Names of every Perſon or Perſons intereſted reſpectively in the ſame, the reſpective Sums of Money the ſame amounts to, according to the aforeſaid Valuation; and ſuch Judgments and Decrees ſo made ſhall be final, and conclude all and every Perſon and Perſons; any Diſability, Incapacity, Law, Cuſtom, Uſage, or other Matter or Thing whatſoever to the contrary in any wiſe notwithſtanding.

Wm. Croſs, Eſq; impowered to determine all Diſputes ariſing concerning ſuch Land, &c.

III. AND to the Intent that all and ſingular the Proprietors aforeſaid may be paid for their reſpective Eſtates and Intereſts, all and every Sum and Sums of Money which the ſame ſhall amount to in Manner as aforeſaid, firſt deducting the Quit-rents due to your Majeſty, to be accounted from the laſt Payment of Quit-rents, if any has been paid, and where none appears to have been paid, from the Date of their reſpective Patents; be it enacted, That the ſaid Commiſſioners ſucceſſively, as aforeſaid, do, and they are hereby required and impowered, immediately after ſuch Decree or Sentence, as aforeſaid, to pay for the ſaid Parcels reſpectively ſuch Sum and Sums of Money as the ſame ſhall amount to reſpectively (firſt deducting the Quit-rents due to your Majeſty, which they are hereby required and impowered to do) out of any Fund or Funds unappropriated in their Hands, or to take up Money at Intereſt, at Twelve Pounds *per Cent. per Annum*, which ſhall be made good to them by this or any future Aſſembly; and the ſaid Commiſſioners ſucceſſively, as aforeſaid, are hereby required and obliged to take Acquittances from the Parties, indorſed in their reſpective Judgments, for

and to all Perſons of their Eſtates, firſt deducting the Quit-rents due to his Majeſty.

1722. the particular Sum he ſhall ſo pay, in which Acquittance he ſhall alſo ſet forth how much he retained for your Majeſty's Quit-rents.

The Monies the Eſtates are valued at, to be immediately paid, &c.

IV. And to the Intent that the Owners or Proprietors of all or any the ſaid ſeveral and reſpective Parcels of Land may not be kept out of, or delayed in the Payment of the ſeveral and reſpective Sum and Sums of Money, becoming due to them for their reſpective Eſtates and Intereſts in the Premiſſes; it is hereby declared and enacted, That the ſaid Commiſſioners ſucceſſively, as aforeſaid, ſhall, and they are hereby required and obliged, under the Penalty of One thouſand Pounds, upon Application to him or them made by all or any of the ſaid Proprietors, within Twenty Days after ſuch Application, to publiſh his Judgment and Decree of and concerning ſuch Proprietor's Eſtate and Intereſt in the Premiſſes in Manner as aforeſaid: And that in caſe the ſaid Commiſſioners ſucceſſively, as aforeſaid, ſhall delay paying any the Proprietors ſuch Sum and Sums of Money as ſhall be due to them, as aforeſaid, then, and in ſuch Caſe, ſuch Proprietor ſhall have and receive Intereſt, from the Date of ſuch Judgment and Decree, for his Money, at and after the Rate of Twelve Pounds *per Cent. per Annum*, until he is paid what ſhall be due to him, as aforeſaid.

To whom, and upon what Conditions, the 30,000 Acres are to be granted.

V. And be it further enacted, That Twenty Acres at the leaſt of *Ruther*'s or *Lynch*'s Iſland, and all other the Land veſted in your Majeſty by virtue of this Act, and ſo much more of the Land in the Pariſhes of St. *Thomas in the Eaſt*, and St. *George*'s, adjoining to *Port Antonio* and *Pattiſon*'s *Point*, as will amount to, and make up Thirty thouſand Acres, butting and bounding as aforeſaid, ſhall be, and the ſame is hereby declared to be abſolutely veſted in your Majeſty, your Heirs and Succeſſors, to the Uſes, Intents, and Purpoſes herein after expreſſed; that is to ſay, to the Intent and Purpoſe that the Governor, or Commander in Chief for the Time being ſhall, and he is hereby impowered and obliged to grant the ſaid Thirty thouſand Acres, and every Part thereof, under the Broad Seal of this Iſland, in Manner and Form following, *viz.* To every white Perſon demanding it, and to his Heirs who ſhall dwell and ſettle thereon, thirty Acres for himſelf, and the like Quantity for every white Perſon he hath in Family; for every free Mulatto, *Indian*, or Negro he ſhall bring with him, twenty Acres; and for every Slave, five Acres, and no more, under this Proviſo and Condition, that ſuch Patentee, and his or her Heirs, ſhall ſettle and plant on the ſame, or ſome Part thereof, within Six Months after the Date of ſuch Patent, and go forward with ſuch Settlement without Intermiſſion.

Proviſo.

VI. Provided, That no Perſon not having above Fifteen Whites in Family ſhall have above Four hundred Acres; and no Perſon who hath any Part of the ſaid Thirty thouſand Acres granted to him ſhall paſs for, or be taken to be of any other Man's Family within the Intent and Meaning of this Act; nor ſhall any one who paſſes for one of another's Family, and on whoſe Account any Part of the ſaid Thirty thouſand Acres hath been granted, be entituled to any Part of the ſaid ſaid Thirty thouſand Acres; and all Grants to be made to any ſuch Perſons are hereby declared to be null and void to all Intents and Purpoſes whatſoever.

Grants, &c. of the ſaid Acres within 7 Years after obtaining them, void:

VII. And all and every Gifts, Grants, Bargains, and Sales to be made by any Perſon or Perſons, or his Heirs, to whom any Part of the ſaid Thirty thouſand Acres ſhall be granted, within Seven Years from the Date of his Patent, of any Part of the ſaid Land ſo granted unto him and his Heirs, ſhall be, and the ſame is hereby declared to be null and void to all Intents and Purpoſes whatſoever, whether ſuch Gift, Grant, Bargain, Sale, or Alienation be in Poſſeſſion, Reverſion, or Remainder.

Part of the ſaid Acres appropriated to the building of Towns.

VIII. And for the further Encouragement of the ſettling of the Tract of Land deſcribed in the Plat hereunto annexed, it is convenient and neceſſary that a Town or Towns ſhould be built on that Part of the aforeſaid Thirty thouſand Acres, commonly known and called by the Name of *Pattiſon*'s *Point*, or upon the ſaid Twenty Acres of *Ruther*'s or *Lynch*'s Iſland, hereby veſted in your Majeſty, as aforeſaid; Be it enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland, and it is hereby enacted and declared by the Authority of the ſame, That Fifty Acres at the ſaid *Pattiſon*'s *Point*, together with the ſaid Twenty Acres on *Ruther*'s or *Lynch*'s Iſland, be allotted for a Town or Towns; and that the

the Governor or Commander in Chief for the Time being be, and he is hereby required and obliged to grant unto any Perſon or Perſons, his and their Heirs, who ſhall build thereon within Six Months after the Date of ſuch Grant, any Lot or Part of the ſaid Piece of Land not exceeding ſeventy Foot in Front, and one hundred and fifty in Depth. 1722.

IX. Provided always, That Grants and Patents of the ſaid Footland, and all other Grants and Patents of all or any the Lands to be granted in purſuance of this Act, unleſs the ſame be built upon and ſettled, according to the true Intent and Meaning of this Act, ſhall be null and void to all Intents and Purpoſes whatſoever. Proviſo.

X. And be it further enacted, That two hundred and fifty Acres, adjoining to the ſaid Piece or Parcel of Land ſo intended for a Town or Towns at *Pattiſon's Point*, be for ever hereafter taken, deemed, and reputed as a Common belonging to the ſaid Town or Towns, and the ſame is hereby declared to be a Common belonging and appertaining to the ſaid intended Town or Towns accordingly; and that the ſame, and every Part thereof, be for evermore unalienable by your Majeſty, your Heirs or Succeſſors, to any other Uſe, Intent, or Purpoſe whatſoever. 250 Acres to be annexed to the Town intended to be built, and to be deemed a Common.

XI. And to the Intent that the Bounds of the ſaid Thirty thouſand Acres may be aſcertained and known, be it enacted, That *Henry Nelſon*, *Jonathan Shaw*, and *Michael Rivers*, Surveyors, or any Two of them, do, within Six Months after the paſſing this Act, ſurvey and lay out ſo much of the aforeſaid Lands as will amount to, and make up the full Compliment of Thirty thouſand Acres, in Manner and Form as herein before is expreſſed, and likewiſe ſurvey and lay out Fifty Acres for a Town or Towns to be built on *Pattiſon's Point*, and alſo the Twenty Acres on *Ruther's* or *Lynch's* Iſland, and two hundred and fifty Acres for a Common, for the Uſe of the ſaid Town or Towns, in which ſaid Survey the ſaid Surveyors ſhall really run and make the ſeveral and reſpective Lines, according to the true Intent and Meaning of an Act of this Country, entituled, *An Act for further directing and regulating the Proceedings of Surveyors*, and under ſuch like Penalties as in the ſaid Act are expreſſed, for not marking the Corner-trees; and in caſe of the Death or Diſability of the ſaid *Henry Nelſon*, *Jonathan Shaw*, and *Michael Rivers*, Surveyors, or any of them, to ſurvey and lay out the ſame, as aforeſaid, then by ſuch other Surveyor or Surveyors as the Governor for the Time being ſhall nominate and appoint; which ſaid Survey ſo made and done, ſhall be returned by the ſaid Surveyors, or any Two of them, under their Hands and Seals, into the Secretary's Office of this Iſland, and there recorded by the ſaid Secretary, in which ſaid Survey and Return ſhall be mentioned and expreſſed the ſeveral Grantees or Patentees of all or any the Lands within the Bounds of the ſaid Thirty thouſand Acres; and ſuch Survey ſo made, or the Record thereof, ſhall for ever hereafter be taken and deemed to be the Bounds of the ſaid Thirty thouſand Acres, and of the Footland for the ſaid Town or Towns, and of the Common, and ſhall be concluſive and bind all Perſons whatſoever; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding. Surveyors appointed to lay out the 30,000 Acres, &c.

XII. For which ſaid Survey the ſaid Surveyors ſhall be paid by the Receiver-general in Proportion, as is directed by the Laws of this Country, out of any of the Fund or Funds in his Hands unappropriated, or take up Money at Intereſt, at Twelve Pounds *per Cent. per Annum*, for Payment of the ſame, which this or any future Aſſembly ſhall make good to him. Surveyors to be paid by Receiver-general.

XIII. And foraſmuch as it is requiſite and neceſſary that the ſaid Surveyors ſhould be guarded and protected whilſt they are ſurveying the ſaid Thirty thouſand Acres, and Town or Towns, and Common, in Manner as aforeſaid, and that they ſhould have ſufficient Slaves to aſſiſt them on the ſaid Survey, by clearing the Lines, and for building neceſſary and uſeful Barracks on the ſaid Land; Be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Commanding-Officer in each of the Pariſhes of St. *Thomas in the Eaſt* and St. *George's*, and he is hereby obliged and required to order and ſend out of each of the ſaid Pariſhes Twenty able Negro Men Slaves to attend on the ſaid Surveyors for the Purpoſes aforeſaid, during ſuch Time as they ſhall be ſurveying the Land and and 20 Negroe Slaves out of each Pariſh to aſſiſt them on the Survey.

1722. and Premiſſes aforeſaid. Provided, That not above one Negro Slave for every fifty Negroes be ſent out of any one Plantation, which ſaid Negroes before they be ſent out ſhall be valued by the ſaid Commanding-Officer.

Receiver-general to provide Neceſſaries for Surveyors, &c.

XIV. And to the Intent that the Soldiers belonging to his Majeſty's independent Companies in this Iſland ſhould be ſent out as a Guard to the ſaid Surveyors; be it enacted by the Authority aforeſaid, That the Receiver-general for the Time being be, and he is hereby obliged and required to provide all Neceſſaries for the ſaid Surveyors, Soldiers, and Negroes, during ſuch Time as they ſhall be employed in or about ſurveying the ſaid Thirty thouſand Acres and Premiſſes; and likewiſe in caſe of the Death of any of the ſaid Soldiers or Negroes in that Time, provide or pay for a Recruit in the Room of ſuch Soldier ſo dying, and the Value of every Negro that ſhall die, to the Owner thereof, out of any Fund or Funds in his Hands unappropriated, or take up Money at Intereſt at Twelve Pounds *per Cent. per Annum*, to pay the ſame.

In Default of Payment of Quit-rents, Lands to be again veſted in the Crown.

XV. And be it further enacted, That all Lands within the Tract deſcribed by the Plat hereunto annexed, other than the ſaid Thirty thouſand Acres, for which the Quit-rents, from the Feaſt of St. *Michael* the Archangel, in the Year One thouſand ſix hundred and ninety-two, or within Eighteen Months after the firſt Day of *February*, One thouſand ſeven hundred and three, have not been paid, or that ſhall not be paid within Six Months after the paſſing of this Act, ſhall be, and the ſame, and every Part thereof, are hereby declared to be abſolutely veſted in your Majeſty, your Heirs, and Succeſſors.

Perſons owning Lands within the ſaid Tract, to make a Settlement within the Time herein preſcribed.

XVI. And all and every Perſon and Perſons having or claiming any Lands within the ſaid Tract, other than the ſaid Thirty thouſand Acres, ſhall be, and is hereby obliged and required to make a Settlement on each Parcel he ſo hath or claimeth, within Two Years next after twenty Settlements are begun on the aboveſaid Thirty thouſand Acres, and go on with the ſame without Intermiſſion; and in Default of ſuch Settlement, every Parcel of Land which ſhall not be ſettled accordingly, although the Quit-rents ſhould be paid, as is herein before directed, ſhall be veſted in your Majeſty, your Heirs and Succeſſors, either for Non-payment of Quit-rents, or for not ſettling the ſame, as aforeſaid, together with all other Lands within the ſaid Tract, other than as aforeſaid, that by any Ways or Means whatſoever are now veſted in the Crown, ſhall be granted in the Name of his Majeſty, his Heirs and Succeſſors, in the ſame Manner and Proportion, and under ſuch Proviſoes, Conditions, and Reſtrictions as the herein before mentioned Thirty thouſand Acres are to be granted, and not otherwiſe; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Clauſe for Encouragement of Settlers.

XVII. And in regard the firſt Settlers on the ſaid Twenty Acres of *Ruther*'s or *Lynch*'s Iſland, and the ſaid firſt Thirty thouſand Acres, may labour under ſome Difficulties; in order therefore to afford ſome Compenſation and Encouragement, be it further enacted by the Authority aforeſaid, That all and every Perſon or Perſons, not having already a Plantation or Settlement in this Iſland, who ſhall, within the Time prefixed, ſettle or begin a Settlement, either on that Part of the ſaid Iſland, or within the ſaid Thirty thouſand Acres, every ſuch Perſon or Perſons ſo ſettling as aforeſaid, ſhall, during the Space of Three Years, be exempted and freed from all Aſſembly or publick Taxes, as well as Parochial Taxes whatſoever; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding.

1723. ## *An Act for dividing the Pariſh of* Weſtmoreland *into two diſtinct Pariſhes, for the Eaſe of the Inhabitants.*

Act 76. WHEREAS the Pariſh of *Weſtmoreland* is of ſuch large Extent, that the Inhabitants, without long Time of Warning, extraordinary Fatigue, Loſs of Time, and great Expence, cannot conveen and appear on publick Occaſions, either at Church, Election of Members to ſerve as Repreſentatives in Aſſemblies, chooſing Church-wardens or Veſtrymen, laying on Taxes, appointing Surveyors, and many other Privileges, as Subjects of *England*, are thereby loſt: And whereas the

the Quantity of Land, Number of Settlements, and Inhabitants contained in the said Pariſh, are ſufficient for two ſeparate and diſtinct Pariſhes; Be it therefore enacted and ordained by the Governor, Council, and Aſſembly of and for this Iſland, and it is hereby enacted and ordained by the Authority of the ſame, That the ſaid Pariſh of *Weſtmoreland* be divided, and is hereby divided into two ſeparate and diſtinct Pariſhes, in Manner following; that is to ſay, That ſuch Part of the ſaid Pariſh as lieth on the South-ſide of the Place commonly called and known by the Name of *Negril by North*, by a dividing Line to be carried directly from *Negril* aforeſaid, unto *King's Valley River*, where the King's Road, leading to the North-ſide of this Iſland, cuts the ſaid River, and from thence, by a due Eaſt Courſe, to the River called *Great River*, ſhall be a diſtinct and ſeparate Pariſh, to be called and known by the Name of the Pariſh of *Weſtmoreland*; and to the Northward of the ſaid Place called *Negril by North*, by ſuch dividing Line as aforeſaid, unto the South Bounds of the Pariſh of St. *James*, ſhall be a diſtinct and ſeparate Pariſh, and is hereby called and to be known by the Name of the Pariſh of *Hanover*; which ſaid two Pariſhes ſhall be for ever hereafter taken and eſteemed, to all Intents and Purpoſes, two diſtinct Pariſhes, ſeparate from each other, and be reſpectively called and known by the Names of the Pariſhes of *Weſtmoreland* and *Hanover*, and reſpectively have, uſe, exerciſe, and enjoy all and every the Powers, Authorities, Benefits and Privileges, Rights, Immunities and Cuſtoms, that all or any of the Pariſhes or Precincts within this Iſland have, or ought to have, uſe, exerciſe, or enjoy of common Right, or by virtue of any general Act or Acts of this Country, as fully, amply, and effectually, as if they had been two diſtinct and ſeparate Pariſhes or Precincts, and therein by Name expreſly mentioned and ſpecified; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

1723.

The Pariſh of *Weſtmoreland* divided into two Pariſhes.

II. And whereas it may be ſuppoſed that the Pariſh of *Weſtmoreland*, before the ſeparating and dividing thereof, was indebted and in Arrear in taxing, levying, and paying ſome publick Debt or Sum of Money; and whereas there is already, before the dividing of the Pariſh, as aforeſaid, Money taxed, collected, or paid to the Church-wardens or Conſtables, therefore be it enacted and ordained by the Authority aforeſaid, That the Church-wardens which ſhall be next choſen for each of the two ſeveral and reſpective Pariſhes ſhall have and receive, ſue for and recover ſuch Proportion of the Money already taxed, levied, or paid, as was taxed, levied, collected, or paid in or by the Inhabitants of the Pariſh of *Hanover* before they were divided; and that each of the ſaid Pariſhes ſhall raiſe Money according to the Proportion aforeſaid, for the Payment and diſcharging ſuch publick Debts as were due from the Pariſh of *Weſtmoreland* at the Time of dividing the ſame into two ſeparate and diſtinct Pariſhes; any Law, Cuſtom, or Uſage in any wiſe to the contrary notwithſtanding.

Monies already duly collected, &c. to be divided between the two Pariſhes.

An Act for clearing Rio de Cobre.

Act 77.

Whereas the River called *Rio Cobre*, or the Town River, that paſſeth by St. *Jago de la Vega*, is, for ſeveral Miles together about the *Caymanas*, ſtopt up, and hath wholly loſt its own Channel, by means of the late terrible Hurricane and the extraordinary Floods, and by the Abundance of Trees and great Quantities of Rubbiſh that hath been fallen above upon the ſaid River, and upon other ſmall Rivers and Gullies that fall into the ſame, whereby the Road leading that Way from the Town of St. *Jago de la Vega*, and Pariſh of St. *Catharine*, to the Pariſh of St. *Andrew* and Town of *Kingston*, may become dangerous, and in a great Meaſure obſtruct the Communication by Land, not only between the ſaid Towns and Pariſhes, but alſo between the Leeward and Windward Parts of this Iſland: Be it enacted therefore and ordained by the Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That the Governor, or Commander in Chief for the Time being, be hereby impowered to iſſue out a Commiſſion in the Nature of a Commiſſion of Sewers, under the Broad Seal of this Iſland, thereby conſtituting and appointing Nine good and ſufficient Freeholders, ſuch as the Governor or Commander in Chief, as aforeſaid,

Governor, &c. to appoint Commiſſioners, who may lay a Tax on Perſons whoſe Eſtates are bounding on the River.

1723. ſaid, with the major Part of the Council, ſhall think fit to nominate and chooſe out of the Pariſhes of St. *Catharine* and St. *Andrew*, whereof Five ſhall be a *Quorum*, one of which ſhall be a Juſtice of the *Quorum*; thereby giving and granting unto them, or any Five or more of them, full Power and Authority to aſſeſs, lay, and receive a reaſonable Tax upon and from the Lands, Negroes, and Cattle, or upon all or any of them, as to the ſaid Commiſſioners, or to any Five or more of them, ſhall ſeem juſt and convenient, of all Perſons whatſoever, who have any Lands bounding any ways upon the ſaid River, from the Plantation of Sir *John Moleſworth*, Bart. commonly called *Cow Park*, unto the Mouth of the ſaid River where it falleth into the Sea, or upon whoſoever ſhall receive any Advantage by clearing the ſaid River, towards the clearing the old Channel, or turning the preſent Courſe of it ſome other Way, by cutting a new Channel, as upon a due Survey of the Premiſſes ſhall ſeem moſt neceſſary, and which may be done with the leaſt Charge or Prejudice to any Perſon; and that the Limits of the ſaid Commiſſion to tax, be and extend upon all the Lands bounding on both Sides or either Side of the River, from the Plantation of Sir *John Moleſworth*, Bart. commonly called *Cow Park*, unto the Mouth of the ſaid River where it falleth into the Sea.

Commiſſioner's Oath.

II. And be it further enacted by the Authority aforeſaid, That every ſuch Perſon as ſhall be named a Commiſſioner in the ſaid Commiſſion, after he hath Knowledge thereof, ſhall take his corporal Oath to lay a reaſonable Tax upon all the Lands, Negroes, and Cattle, or upon any of them as aforeſaid; and that he will, to the beſt of his Skill and Knowledge, execute the ſaid Commiſſion; which Oath ſhall be taken before the Governor, or Commander in Chief, or before whom, by the King's Writ of *Dedimus Poteſtatem*, he ſhall appoint, or before the Juſtices of the Peace in the Quarter-ſeſſions of the Precincts where any of the ſaid Commiſſioners ſhall reſide; and whoſoever of the ſaid Commiſſioners ſhall refuſe to act as ſuch, according to the Direction of the ſaid Commiſſion, or to take the ſaid Oath, ſhall forfeit the Sum of One hundred Pounds.

Penalty on their refuſing to act.

Penalty on throwing any Rubbiſh into the *River*.

III. And further, That whoſoever ſhall wilfully fell any Trees, or caſt, or ſuffer the ſame to be caſt, as alſo any Cane, Traſh, or other Rubbiſh whatſoever into the ſaid River, or into any other River or Gully that ſhall come into the ſame, whereby the ſaid Stops ſhall be any ways increaſed, ſhall forfeit for every ſuch Offence the like Sum of One hundred Pounds; both which Forfeitures ſhall be, one third Part to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other two Thirds to whomſoever ſhall ſue for the ſame in any Court of Record within this Iſland, by Information or Action of Debt, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed, towards the Expence of preventing the overflowing of the ſaid River, or towards the cutting of a new Channel, as aforeſaid; and that each of the ſaid Commiſſioners that ſhall meet and ſit, as aforeſaid, ſhall, for each Day they ſo ſit, receive towards their Expences Five Shillings *per Diem* out of the ſaid Monies, to be levied as aforeſaid.

Commiſſioner's Allowance.

Their Power.

IV. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners unto whom the Commiſſion, as aforeſaid, ſhall be directed, or any Five or more of them, by virtue of the ſaid Commiſſion, and of this preſent Act, ſhall have full Power and Authority to ſee, ſurvey, and view the ſaid Lands, which by Occaſion of the ſaid Stops, and the ſeveral Breaches made in the Banks of the ſaid River, do uſe to be overflown, or any Part of them; and all the ſaid Lands, or their ſeveral Owners who poſſeſs any Lands, Negroes, or Cattle within the Bounds and Limits aforeſaid, to tax, rate, aſſeſs, and charge with ſuch Sum and Sums of Money, as well for the preſent clearing of the old Channel of the ſaid River, or for the making a new, if it ſhall be found neceſſary, as alſo for the keeping of it clear after it ſhall be cleaned or turned another Way; and that the ſaid Commiſſioners, or any Five or more of them, ſhall and may make and appoint diligent and able Surveyors, Collectors, and Overſeers, and ſuch other Officers as they ſhall think fit, to ſurvey and overſee, and to levy, receive, and lay out the Money to be levied and expended in and about the Premiſſes, and to do and execute whatſoever ſhall be needful and expedient to be done therein, according to the Directions and Orders which ſhall from Time to Time be preſcribed by the ſaid Commiſ-

Commiſſioners, or any Five or more of them, and to allow them for their Pains what ſhall be thought reaſonable: And alſo, that it ſhall and may be lawful for the ſaid Commiſſioners, or any Five or more of them, by Warrant under their Hands and Seals, to command the taking of any Cart, Wain, Negroes, or Wain-Cattle of any Perſon within the Bounds and Limits of the ſaid Commiſſion, to help towards the clearing and removing the Premiſſes, or towards the making a new Channel. 1723.

V. Provided always, That the Owners of ſuch Carts, Wains, Negroes, or Wain-Cattle are not then making Sugar, and that they take not above eight Negroes out of every fifty Negroes which are on any Plantation or Pen within the Bounds aforeſaid, and ſo proportionably for any greater or leſſer Number of Negroes, for the Space of any one Week out of a Plantation, and a Wain, Cart, or Wain-Cattle for the ſame Time; and that the Owners of ſuch Carts, Wains, Negroes, or Wain-Cattle, that ſhall be ſo taken and employed, be allowed out of their reſpective Taxes what ſhall be thought reaſonable for the Hire of them by the ſaid Commiſſioners, as aforeſaid. Proviſo.

VI. And be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Commiſſioners, or any Five or more of them, by Warrants under their Hands and Seals, to give Authority to any Perſon or Perſons to levy the ſaid Sums of Money by them from Time to Time to be aſſeſſed upon the Perſons, Lands, Negroes, or Cattle, or upon all or any of them, as aforeſaid, by Diſtreſs and Sale of the Goods of ſuch Perſon or Perſons that ſhall not pay, or refuſe to pay the ſame, and the Overplus of the Value riſing upon ſuch Sale ſhall return to the Owner of the ſame; and in Default of ſuch Diſtreſs, to be taken and ſold, it ſhall and may be lawful for ſuch Collectors as ſhall be appointed by the ſaid Commiſſioners, or any Five or more of them, to ſue the Factor or Attorney of ſuch Perſon or Perſons as have Lands lying within the Limits aforeſaid; and that all Conſtables and Marſhals be aiding and aſſiſting in the levying all ſuch Taxes as ſhall be aſſeſſed and levied as aforeſaid, and that they receive Six-pence in the Pound for levying the ſame. Commiſſioners may appoint Collectors, &c.

VII. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be brought againſt any Perſon or Perſons for taking any Diſtreſs, or Sale of the ſame, or for turning the Courſe of the River through any Perſon's Land, or for cutting a new Channel through the ſame, or any other Thing done by the Authority of this Act, the Defendant in ſuch Action or Suit ſhall plead this Act in bar, and thereupon Judgment ſhall be given for the Defendant. Perſons ſued for executing this Act, may plead the General Iſſue.

An Act for encouraging White People to come over and become Settlers in this Iſland, and for the more eaſy and ſpeedy ſettling the North-Eaſt Part thereof.

Act 78.

Whereas, from the Situation of this Iſland among ſo many potent and dangerous Neighbours, it is found neceſſary that all due Encouragement ſhould be given to White People to come hither and ſettle, in order not only to protect and defend it againſt ſuch its Neighbours in caſe of any Rupture with them, but alſo to improve and cultivate the waſte Lands therein, which will likewiſe add to the Trade as well as the Strength thereof, and be a great Security to this Colony, which by its commodious Situation for Trade, the Fertility of its Soil, and other many natural Advantages, is of the utmoſt Conſequence to the Intereſt of the Crown of *Great Britain*, in this Part of *America*; We therefore, your Majeſty's moſt dutiful and loyal Subjects the Aſſembly of this your Majeſty's Iſland of *Jamaica*, having ſincerely at Heart the Good and Welfare of this your Iſland, and the carrying on and perfecting ſo good a Work, which muſt certainly not only enrich and ſecure this your Majeſty's Iſland, but alſo conſiderably augment the Trade of *Great Britain*, do moſt humbly beſeech your Majeſty that it may be enacted, and be it therefore enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*; and it is hereby enacted and ordained by the Authority of the ſame, That in order to encourage all ſuch Perſons as ſhall come over upon the Credit of this Act to become induſtrious, and 1000*l.* appropriated to the Settling of the Iſland.

1723. and Settlers and Planters in this Iſland, and more particularly in the North-Eaſt Part thereof, the Sum of One thouſand Pounds, Part of the Fifteen hundred Pounds herein after to be raiſed, ſhall be applied to purchaſe Lands, according to the Intent, Meaning, and Direction of an Act of the Governor, Council, and Aſſembly of this Iſland, made in the Ninth Year of his preſent Majeſty's Reign, entituled, *An Act for ſettling the North-Eaſt Part of the Iſland*; which ſaid Land ſhall be granted to ſuch new Comers and others who ſhall ſettle, according to the Direction of the ſaid Act.

Clauſe of Credit.

II. And that *William Croſs*, Eſq; or the Receiver-general for the Time being may be ſupplied with the Sum of Fifteen hundred Pounds to purchaſe the ſaid Land, and provide for ſuch new Comers as herein is directed, be it further enacted by the Authority aforeſaid, That the ſaid *William Croſs*, or the Receiver-General for the Time being, ſhall and may borrow and take upon Loan at Intereſt, at and after the Rate of Twelve Pounds *per Cent. per Annum*, any Sum or Sums of Money not exceeding the Sum of Fifteen hundred Pounds, which the Perſon or Perſons ſo advancing the ſame, or any Part thereof, ſhall be repaid out of the firſt Money to be raiſed and applied for that Purpoſe, with Intereſt at and after the ſaid Rate; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

New Comers to be ſupplied with Proviſion.

III. And whereas ſuch new Comers on their firſt Arrival may be deſtitute of the Means to ſupport, till the Land ſo to be allotted to them be fallen and planted with proper Proviſions, and till the ſaid Proviſions are grown up and become fit for Uſe, be it further enacted by the Authority aforeſaid, That the ſaid *William Croſs*, Eſq; or the Receiver-general for the Time being, do, out of the Money ariſing by the Fund herein after to be raiſed, or the Money by him or them to be borrowed, as herein before is mentioned, till a ſufficient Sum may be raiſed by the ſaid Fund, provide two Barrels of Beef, and one Barrel of Flour, for each new Comer (Man or Woman) that ſhall come over and ſettle within Twelve Months from the firſt Day of *December* next, to be delivered at *Port Antony*'s, free of all Charges, and do provide proper Neceſſaries and Conveniences for their Travelling to the ſaid Tract of Land where they are to ſettle.

Limits of the Pariſh of *Portland*.

IV. And the better to encourage all ſuch Perſons to become Settlers in the ſaid Tract of Land, and for the greater Conveniency and Eaſe of the Inhabitants therein, be it further enacted by the Authority aforeſaid, That the Parcel or Tract of Land which is by the ſaid Act for ſettling the North-Eaſt Part of this Iſland veſted, or to become veſted in his Majeſty, and is bounded North and North-eaſt by the Sea, from the Mouth of *White River* to the Weſtward of the Mouth of the River *Grandee*, thence directly South the Diſtance of fourteen Miles, then Eaſt till it meets *Swift River*, then up the ſaid River about the Diſtance of five Miles, thence South-eaſt forty nine Degrees to the Head of *Sulphur River*, and from thence on a ſtraight Line to *White River*, and alſo the Iſland called *Lynch*'s *Iſland*, ſhall be, and for ever hereafter be taken and eſteemed, to all Intents and Purpoſes, an entire and diſtinct Pariſh, ſeparate from the Pariſhes of St. *George* and St. *Thomas in the Eaſt*, and be called and known by the Name of the Pariſh of *Portland*.

This Act not to take any Lands from St. *George*'s Pariſh.

V. Provided nevertheleſs, That no Clauſe or Clauſes in this or any former Act ſhall extend to take into the ſaid Pariſh any Lands in the Pariſh of St. *George*, that are already ſettled; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding.

Privileges of the Pariſh of *Portland*.

VI. And that the Town which is to be built on *Pattiſon*'s *Point*, be called and known by the Name of the Town of *Titchfield*; and that the ſaid Pariſh of *Portland* ſhall have, uſe, exerciſe, and enjoy all and every the Powers, Authorities, Benefits, Privileges, Rights, Immunities, and Cuſtoms, that all or any of the Pariſhes or Precincts within this Iſland have, or ought to have, uſe, exerciſe, or enjoy of common Right, or by virtue of any general Act or Acts of this Iſland, as fully, amply, and effectually, as if the ſame had then been a diſtinct and ſeparate Pariſh or Precinct, and therein by Name expreſly mentioned and ſpecified; and particularly, that there ſhall be a Parſon maintained at the publick Expence of this Iſland for the Space of three Years, after ſuch Settlement begun there, who

who ſhall be reſident in the ſaid Pariſh of *Portland*, and ſhall be allowed for his Maintenance or Salary Two hundred Pounds, current Money of this Iſland, *per Annum*, to be paid him quarterly, during the firſt three Years aforeſaid, out of the Fund or Funds already ariſen, or hereafter to ariſe, and unappropriated; and that after the ſaid three Years are ended and expired, the ſaid Salary of Two hundred Pounds *per Annum* ſhall be paid him by the ſeveral Inhabitants of the ſaid Pariſh, in like Manner and Form as in and by an Act of this Iſland, entituled, *An Act for the Maintenance of Miniſters and the Poor, and erecting and repairing of Churches*, is mentioned and provided; and after the ſaid three Years ended, there ſhall be choſen two Repreſentatives to ſerve in Aſſemblies thereafter, or after the firſt Prorogation of the Aſſembly then in being for the Pariſh of *Portland*; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding. 1723.

Quarter-ſeſſions, &c. to be held at *Titchfield*.

VII. And be it further enacted, That from and after the firſt Day of *December*, which ſhall be in the Year of our Lord One thouſand ſeven hundred and twenty ſix, for the Eaſe of all the Inhabitants and People of the ſaid Pariſh of *Portland*, there be erected, eſtabliſhed, and held in the ſaid Town of *Titchfield* a Quarter-ſeſſions for the Conſervation of the Peace, and a Court of Common-Pleas, with the ſame Power and Authority that is or hath been uſed, held, or exerciſed in any the inferior Courts in any other Pariſh or Precinct within this Iſland; which ſaid Court ſhall be held the firſt Time on the ſecond *Thurſday* in *January*, which ſhall be in the Year of our Lord One thouſand ſeven hundred and twenty ſix, and afterwards once every two Months, and the Seſſions every three Months; any thing in this or in any other Act to the contrary notwithſtanding.

Port Antony a Port of Entry, &c.

VIII. And be it further enacted by the Authority aforeſaid, That for the Encouragement of Trade, and the Conveniency of the ſaid Town and Pariſh, from and after the firſt Day of the ſaid Month of *December*, which ſhall be in the Year of our Lord One thouſand ſeven hundred and twenty ſix, the Port called *Port Antony* ſhall be a Port of Entry and Clearance of all Ships and Veſſels.

Perſons ſettling in this Part of the Iſland, exempted from Taxes, &c.

IX. And for the further Encouragement of all ſuch new Settlers, in regard they may labour under ſome Difficulties by reaſon of their great Diſtance from the Supreme Court of Judicature, eſpecially at their firſt ſettling the ſame, be it further enacted by the Authority aforeſaid, that all and every Perſon and Perſons, not having already a Plantation or Settlement in this Iſland, who ſhall, within the Times in the ſaid Act for ſettling the North-eaſt Part of this Iſland prefixed, ſettle, or begin and carry on a Settlement on that Part of the Iſland hereby erected into and created a Pariſh, That every ſuch Perſon or Perſons, ſo ſettling as aforeſaid, ſhall during the Space of Three Years next after their ſaid Settlement begun, be exempted and freed from all Kinds of Suits, Arreſts, and Actions whatſoever, and from all Aſſembly or publick Taxes whatſoever, and alſo from all Parochial Taxes for the Space of three Years, from and after the firſt Day of *December* now next enſuing; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding.

Who are to be Commiſſioners to allot Land to the Settlers.

X. And whereas ſo neceſſary and uſeful a Work cannot be perfected without a conſiderable Charge to this Iſland, and the Direction and Care of Commiſſioners, who are Men of Integrity and Skill, to direct, ſuperviſe, and manage the ſame; be it therefore further enacted by the Authority aforeſaid, That the *Cuſtos's* for the Time being of the two next adjacent Precincts to the ſaid Land (to wit) St. *Thomas* and St. *George*'s, and *Richard Bathurſt*, *Jaſper Aſhworth*, and *Robert Hamilton*, Eſquires, and *James Paſsley* of the Pariſh of St. *George*, Planter, and *John Le Gay*, and Dr. *James Milſdon*, be and are hereby appointed Commiſſioners, whereof any Three or more of them are to be a *Quorum*, for appointing and directing Surveyors to aſcertain, lay out, and allot Land to each ſeveral Settler, after the ſame hath been or ſhall be run out, according to the Direction of the ſaid Act for ſettling the North-eaſt Part of this Iſland.

Commiſſioners to determine Diſputes, &c.

XI. And be it further enacted by the Authority aforeſaid, That the Commiſſioners aforeſaid hereby appointed, or any Three of them, ſhall be and are hereby impowered and required finally to determine and adjudge all Matters of Diſpute

1723. or Variance, arising between the said new Settlers or Inhabitants, in a summary Manner, without any Appeal, for and during the Space of Three Years next from and after the first Day of *December* next.

Penalty on Commissioners not performing their Duty.

XII. And be it further enacted by the Authority aforesaid, That all and every the said Commissioners are hereby required, within Six Weeks after the passing of this Act, and Notice thereof, under the Penalty and Forfeiture of One hundred Pounds, to take an Oath before the Governor, or Commander in Chief, or such other Persons, to whom he shall direct his Majesty's Writ of *Dedimus Potestatem* for that Purpose, that he or they shall severally and respectively, duly, faithfully, and truly execute and discharge the Duty of a Commissioner, according to the true Intent and Meaning of this Act.

Clause to indemnify Persons settling, in case this Act should not receive the Royal Assent.

XIII. And whereas at present it is not known that the Act for settling the North-east Part of this Island hath as yet received his Majesty's Royal Assent, whereby People may be deterred in settling of that Part of this Island, and others discouraged from coming to settle: For the Advancement therefore of so good a Work, be it enacted by the Authority aforesaid, That in case his Majesty should be pleased to dissent to the said Act, so that such as shall go upon the Encouragement thereof, and settle there, be afterwards obliged to quit their Settlement, they shall be paid for every Acre they shall clear and plant within the Tract described by the said Act, Ten Pounds, and for every Acre they shall have cleared and not planted, Five Pounds, and for every House, Store-house, or Wharf, treble the Value of each House, Store-house, or Wharf, to be valued upon Oath by the Commissioners herein named, or three of them; and for every Negroe, *Indian*, Mulatto, Man or Woman, that shall die or be lost in that so useful and necessary a Service, Thirty Pounds out of any Fund or Funds already raised and unappropriated, or that may hereafter be raised: And in case there are not Funds sufficient to answer those Ends, that then, and in such Case, it shall and may be lawful to and for the Receiver-general for the Time being to borrow Money at Twelve Pounds *per Centum per Annum*, to pay the same, which this or any future Assembly will make good; and upon the Receiver-general's neglecting or refusing to pay unto each Person what shall be due or owing as aforesaid, that then, and in such Case, such Person shall be paid such Money, with Ten Pounds *per Centum per Annum* Interest, until he or they shall receive full Satisfaction for such their Demand.

Owners of Land planted to pay for the same within two Months after his Majesty's Disallowance.

XIV. And be it further enacted by the Authority aforesaid, That all the said Sums to be paid for any Land so as aforesaid cleared and planted, shall be paid by the Proprietor or Owner of such Land within two Months after his Majesty's Disallowance shall be known in this Island; and in case he or they shall delay or refuse to pay as aforesaid, they shall lose their whole Run of Land; and the Person or Persons having such Demand, for falling, clearing, planting, or building, shall have, hold, occupy, and enjoy the same, to him, his, or their Heirs for ever; any Law, Custom, or Usage to the contrary in any wise notwithstanding. And in case this Act should likewise be rejected, then this or any future Assembly will pay the same in Manner as is herein before particularly mentioned.

Surveyor to make a Survey within 18 Months.

XV. And whereas the Time limited in this Act, entituled, *An Act for settling the North-east Part of the Island*, for the surveying of the said Thirty thousand Acres, is elapsed; and to the Intent the same Survey may be ascertained without Delay; be it enacted by the Authority aforesaid, That the Surveyors do, and are hereby obliged, within eighteen Months after the passing of this Act, to make a perfect Survey of the said thirty thousand Acres, and also of all the whole Tract of Land called *Portland Parish*, by a separate and marked dividing Line, according to the Directions in the said Act.

No Person to forfeit any Lands for not settling in less than 2 Years.

XVI. Provided always, No Person or Persons shall forfeit any Run or Runs of Land he hath in the said Tract of Land, for not settling in less Time than two Years after the said Thirty thousand Acres be actually run out by a separate marked Line, and the twenty Settlements by the said Act to be made, be begun; any thing in this or any other Act mentioned to the contrary notwithstanding.

An

An Act for the Eaſe of the Inhabitants of the Pariſh and Precinct of St. Elizabeth.

1723.

Act 79.

WHEREAS it very much conduceth to the Eaſe of the Inhabitants of each Pariſh and Precinct in this Iſland, that the Seſſions of the Peace, Elections, Courts of Common-Pleas, and Veſtries for the ſaid Pariſhes and Precincts be held and kept in the Places moſt convenient in and neareſt the Centre of each ſeveral Pariſh and Precinct: And whereas the Place of holding the Seſſions, Elections, Courts of Common-Pleas, and Veſtries for the Pariſh and Precinct of St. *Elizabeth*, ever ſince the dividing the ſame into the three Pariſhes of *Weſtmoreland*, *Hanover*, and St. *Elizabeth*, has been in the Place formerly accuſtomed and uſed for that Purpoſe; which ſince the ſaid Diviſion is now become near the one Side or extreme End of the ſaid Pariſh of St. *Elizabeth*, and is thereby no ſmall Hardſhip on, and Inconvenience to the Inhabitants of the ſaid Pariſh, who live as well in the Centre as in the other Side or extreme End thereof, ſome of whom are at leaſt Fifty Miles diſtant from the Place where the ſaid Seſſions, Elections, Courts of Common-Pleas, and Veſtries are now held: And whereas there is a Court-Houſe now built on Land belonging to the ſaid Pariſh, in a certain Place called *La Covia*, which is as near as may conveniently be to the Middle or Centre of the ſaid Pariſh; to the Intent therefore that the like Inconveniencies may be prevented for the future, and for the greater Eaſe of the Inhabitants of the ſaid Pariſh of St. *Elizabeth*, may it pleaſe your Majeſty that it may be enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted by the Authority of the ſame, That for the future all Seſſions of the Peace, Elections, Courts of Common-Pleas, or Veſtries hereafter to be held and kept in and for the ſaid Pariſh and Precinct of St. *Elizabeth*, be kept and held at *La Covia*; and that no *Cuſtos*, Juſtice of the Peace, or Veſtryman for the ſaid Pariſh or Precinct of St. *Elizabeth*, do preſume to call, hold, or keep any Quarter-Seſſions of the Peace, Veſtries, Elections, or Courts of Common-Pleas at any other Place whatſoever in the ſaid Pariſh, except at *La Covia*, under the Penalty and Forfeiture of One hundred Pounds current Money of this Iſland, for each Offence contrary to the Intent of this Act; the ſaid Penalties or Forfeitures to be recovered in any Court of Record in this Iſland, by Action, Bill, Plaint, or Information, wherein no Eſſoin, Injunction, Protection, Imparlance, or Wager of Law ſhall be allowed; the one Half of all ſuch Forfeitures to be to the King's Majeſty, his Heirs and Succeſſors, for and towards the Support of his Majeſty's Government in this Iſland; the other Half to all and every Perſon or Perſons who ſhall inform or ſue for the ſame; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Seſſions of the Peace, &c. to be held at *La Covia*;

and in no other Place on Penalty of 100 *l.*

II. And be it further enacted by the Authority aforeſaid, That the Church-wardens of the Pariſh of St. *Elizabeth* do forthwith pay the Charge of paſſing this Law, and that the ſame may be allowed out of the Pariſh Stock.

Church-wardens to pay the Charge of paſſing this Act.

An Act for laying out a Road, from a Place called the Cave, *in the Pariſh of* Weſtmoreland, *to the Weſt End of the Pariſh of St.* James.

1724.

Act 80.

WHEREAS the preſent Highway from the *Cave* in the Pariſh of *Weſtmoreland*, to the Weſt End of the Pariſh of St. *James*, by reaſon of the Quickſands along the Sea Shore, the ſeveral rapid Rivers that Travellers are obliged to wade thro', and the Length of Way, which proves very inconvenient and dangerous to the ſeveral Inhabitants of the ſaid Pariſh, and others, who are obliged to travel it at all Times and Seaſons of the Year on publick Services and otherwiſe: And foraſmuch as a far ſhorter, more commodious, and ſafe Way, may be laid out, from the *Cave* in the Pariſh of *Weſtmoreland*, to the ſaid Weſt End of the Pariſh of St. *James*, Your Majeſty's moſt dutiful and loyal Subjects, the

1724. the Aſſembly of this your Iſland of *Jamaica*, moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by the Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That a Highway or Road be, with all convenient Speed, run out, cut, and made, leading from the *Cave* aforeſaid, over the Mountains, to the Weſt End of the Pariſh of St. *James*, ſixty Feet in Breadth; which ſaid Road ſhall be well cleared, at the Expence of the reſpective Pariſhes through which the ſame ſhall run, in ſuch Sort and Manner as by the Commiſſioners herein after named, or any Three or more of them, ſhall be thought convenient.

A new Road to be cut from the *Cave* to St. *James*'s;

II. And the ſaid Highway or Road being ſo run out, cut, and made, ſhall for ever after be deemed and taken as a publick Road; and ſhall, as often as Occaſion requires, be maintained, repaired, cleared, and kept in good Order by the Way-wardens of the Pariſhes of *Weſtmoreland*, St. *James*, and *Hanover*, ſo far as the ſaid Road ſhall be found in either of the aforeſaid Pariſhes to extend.

which is to be deemed a publick Road, &c.

III. And to prevent all Diſputes which may ariſe about the Bounds of the Pariſhes aforeſaid, or otherwiſe touching the Execution and Performance of this Law, be it further enacted and ordained by the Authority aforeſaid, That *Peter Beckford*, *John Moore*, *John Blagrave*, *Hugh Kirkpatrick* ſenior, *John Lawrence*, *John Graves*, *Thomas Wollery*, *Samuel Barnett*, *Henry Reeves*, and *Hugh Kirkpatrick* junior, or any Three or more of them, be and are hereby appointed Commiſſioners to put this Act in Execution; which ſaid Commiſſioners, or any Three or more of them, ſhall and are hereby required to meet at *Queen*'s *Town* in the Pariſh of *Weſtmoreland*, or at ſuch other Place as to them, or any Three or more of them, ſhall ſeem convenient, within twelve Months after the paſſing of this Act, to chooſe and appoint a Surveyor, who ſhall immediately proceed to the running out of ſuch a Highway or Path, as by this Act is appointed, with the moſt Conveniency to the Publick, and the leaſt Prejudice to any particular Perſon, from the *Cave* in the Pariſh of *Weſtmoreland* aforeſaid, to the Weſt End of the ſaid Pariſh of St. *James*; and in caſe the Surveyor to be choſen by the Commiſſioners, or any Three or more of them, ſhall neglect or refuſe immediately to proceed in the running out of the ſaid intended Highway or Road aforeſaid, then he ſhall, for ſuch Neglect or Refuſal, forfeit Fifty Pounds.

Commiſſioners appointed for executing this Act.

IV. And the ſaid Surveyor ſo choſen and appointed, is hereby further required ſo ſoon as he hath finiſhed the ſaid Path or Line for a Highway, to make a Return to the ſaid Commiſſioners, or any Three of them, who ſhall cauſe the ſame to be recorded by the Clerk of the Peace of each of the ſaid Pariſhes; and that the ſaid Surveyor ſhall be paid by the Church-wardens of each Pariſh for the Work by him ſo to be done on account of each Pariſh, as ſhall be adjudged by the Commiſſioners aforeſaid, or any Three or more of them, out of the Pariſh Stock reſpectively, together with all other the Charges to the reſpective Officers for paſſing or putting this preſent Act in Execution, not herein before otherwiſe provided for; and every Church-warden refuſing to pay ſuch Sum or Sums of Money as ſhall be adjudged by the ſaid Commiſſioners, or any Three or more of them, to be paid as aforeſaid, ſhall forfeit the Sum of One hundred Pounds; to be recovered in Manner herein after mentioned.

Surveyor to make a Return of the Path when laid out, to the Commiſſioners, &c.

V. And it is hereby further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any Three or more of them, having received the Return of the Surveyor as aforeſaid, ſhall cauſe two Copies of the ſame to be fairly drawn out, one whereof they ſhall forthwith ſend to the Way-wardens of the Pariſh of *Weſtmoreland*, and the other to the Way-wardens of the Pariſh of St. *James*, with ſtrict Orders to each and every of them in Writing, that they immediately proceed to the cutting down and clearing the ſaid Highway, ſo as the ſame may be compleated and finiſhed within three Years after the paſſing this Act: And for the better effecting thereof, the ſaid Way-wardens of the ſaid Pariſhes, and every of them reſpectively, are hereby authorized to iſſue out their Warrants to the Conſtables and Tythingmen to warn all the Inhabitants of the ſaid Pariſhes to furniſh ſuch Numbers of able Negroes, together with ſuch a Number of white Men Drivers to overſee them, as ſhall be appointed by the Commiſſioners in this Act mentioned, or any Three or more of them, together with ſuch Tools, Proviſions, and other Neceſſaries, as ſhall be thought by them needful for carrying on

Two Copies of the Return to be fairly drawn out, and one of them ſent to the Way-wardens of each Pariſh, &c.

on the ſaid Work, and finiſhing the ſame within the Time herein appointed; and whoſoever ſhall neglect or refuſe to ſend his or her Proportion of able working Slaves with ſuch Tools and Neceſſaries as ſhall be appointed by the ſaid Commiſſioners, or any Three or more of them, ſhall, for every Slave ſo wanting, pay Three Shillings and Nine-Pence *per* Day; to be recovered before any Juſtice of the Peace, as in Caſes of Forty Shillings; any thing in this, or in any other Act or Law to the contrary thereof notwithſtanding. 1724.

VI. And if the ſaid Way-wardens, or any of them, ſhall refuſe or neglect to do his or their Duty in cutting or clearing the ſaid Highway to the Extent of their reſpective Bounds, as is hereby appointed, he or they ſo offending ſhall reſpectively forfeit the Sum of Two hundred Pounds, current Money of this Iſland. Penalty on Way-wardens neglecting their Duty,

VII. And in caſe the ſaid intended Highway ſhall be neglected, and not maintained in good Repair by the ſucceeding Way-wardens, he or they ſo offending therein, ſhall reſpectively lie under the Pains and Penalties provided in an Act of this Iſland, entituled, *An Act for the Highways*. And if any Surveyor or Commiſſioner by this Act appointed, ſhall neglect his or their Duty touching the Premiſſes, or any Part thereof, he or they ſhall reſpectively forfeit the Sum of Fifty Pounds: And if any Conſtable or Tythingman ſhall neglect his or their Duty, they ſhall reſpectively forfeit Twenty Pounds: All which ſaid Forfeitures herein before mentioned, ſhall be one Half to the Informer, or to him or them that ſhall ſue for the ſame; the other Half to the Commiſſioners, or any Three of them, for the Uſe of the ſaid Highway. and on all other Officers.

VIII. And all Forfeitures in this Act mentioned, not exceeding Forty Shillings, ſhall be recovered by the ſaid Commiſſioners, or any of them, before any Juſtice of the Peace; and all above that Sum, by Action of Debt, Bill, Plaint, or Information in any Court of Record in this Iſland, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed, or *Non vult ulterius proſequi* be entered; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. Forfeitures how to be recovered.

An Act for building one or more Bridge or Bridges over Rio Cobre, *or at the* Bog-walk, *in the Pariſh of St.* Thomas in the Vale; *and repairing the Roads to* Sixteen Mile Walk.

Act 81.

Whereas, by the Depth and Rapidity of the River called *Rio Cobre* (which runs croſs the common Highways and Roads, from the Pariſh of St. *Thomas in the Vale*, to the Pariſh of St. *Catharine*) and its often Overflowing in many Places, the Highway or Road commonly called the *River Road*, becomes unſafe to travel; and the ſaid River cannot be paſſed over without the Hazard of Life and Goods, for want of convenient, good, and ſufficient Bridges in the ſaid Highways, to build and erect which there is no Law now in Force; therefore may it pleaſe your Majeſty that it may be enacted, and it is hereby enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, That for Seven Years next following, and no longer, the Hon. *William Nedham*, *John Blair*, *Thomas Beckford*, *John Steward*, *John Kelly*, *Edward Charlton*, *Polyntz Byndleſs*, *Robert Tredwey*, *John Hudſon Guy*, *Peter Beckford*, *Robert Nedham*, *James Haywood*, *Matthew Gregory*, *Edmond Kelly*, *Andrew Campbell*, *Lawrence Halſted*, *George Reid*, *James Laws*, *John Ruſſel*, *John Wallin*, and *James Hair*, Eſqrs. ſhall have full Power and Authority, by Order or Warrant under the Hands and Seals of all or any Eleven of them, to cauſe to be erected and built one or more new Bridge or Bridges in any Place or Places in the ſaid Highway or Road, commonly called the *River Road*, or elſewhere over the ſaid River. Commiſſioners appointed for building Bridges over *Rio Cobre* River.

II. And alſo to repair and amend the ſaid *River Road*, as they, or any Eleven of them ſhall judge fit and neceſſary, and ſo declare by ſuch Order as aforeſaid; and by their ſaid Order to charge, aſſeſs, and tax every Inhabitant within the ſaid Pariſh of St. *Thomas in the Vale*, and ſuch Part of the Pariſh of St. *Catharine* as lies on the other Side of *Rio Cobre*; and ſhall make uſe of the Bridge or Bridges, and to amend the *River Road*, and levy a Tax to defray the Expence thereof.

1724. ſo to be built, to ſuch reaſonable Aid and Sums of Money as they, or any Eleven of them ſhall think fit, convenient, and ſufficient to erect and build ſuch Bridge or Bridges, and repair and amend the ſaid Road, or for laying out and clearing ſuch new Road.

The Names of Perſons taxed to be written in a Roll, &c.

III. And after ſuch Taxation made, the ſaid Commiſſioners, or any Eleven of them, ſhall cauſe the Names of every particular Perſon ſo by them taxed to be written in a Roll; and ſhall alſo have Power and Authority to make one or more Collector or Collectors to collect all ſuch Sum or Sums of Money by them ſet and taxed; which ſaid Collector or Collectors receiving one Part of the ſaid Roll under the Seals of the ſaid Commiſſioners, or any Eleven of them, ſhall have full Power and Authority to collect and receive all the particular Sums of Money therein contained; and to diſtrain every ſuch Inhabitant as ſhall be taxed, and refuſe Payment thereof, in his Negroes, Goods, or Chattels; and to ſell ſuch Diſtreſs, and out of the Sale thereof retain and receive all the Money taxed, and the Reſidue (if the ſaid Diſtreſs be better) to deliver to the Owner thereof.

Commiſſioners to contract with Workmen.

IV. And that the ſaid Commiſſioners, or any Eleven of them, ſhall have full Power and Authority to agree and contract with Workmen to build and erect ſuch Bridge or Bridges, and for all Materials that ſhall be by them adjudged material or neceſſary for the building or erecting ſuch Bridge or Bridges.

Collectors to account with Commiſſioners.

V. And that the ſaid Collector or Collectors ſhall pay all the Money taxed and by them received unto the ſaid Commiſſioners, or any Eleven of them; and the ſaid Collector or Collectors, his or their Executors, Adminiſtrators, or Aſſigns, and the Executors, Adminiſtrators, or Aſſigns of them, and every of them, ſhall make a true Declaration and Account to the ſaid Commiſſioners, or any Eleven of them, of the Receipts, Payments, and Expences of the ſaid Sums of Money; and if they refuſe ſo to do, that the ſaid Commiſſioners, or any Eleven of them, from time to time, by their Diſcretion, ſhall have Power and Authority to make Proceſs againſt the ſaid Collector or Collectors, and every of them, their Executors and Adminiſtrators, and the Executors and Adminiſtrators of every of them, by Attachment under their Hands and Seals, returnable before them, or any Eleven of them, at ſuch Time and Place as they ſhall appoint; and if they appear, then to compel their Account, as is aforeſaid, or elſe if they or any of them refuſe ſo to do, then to commit each of them as ſhall refuſe, to the common Gaol of St. *Jago de la Vega*, there to remain, without Bail or Mainprize, till the ſaid Declaration and Account be truly made.

Penalty on Provoſt-marſhal not ſerving Commiſſioners Proceſs.

VI. And the Provoſt-marſhal-general of this Iſland, by himſelf, or his lawful Deputies, ſhall truly ſerve and execute ſuch Proceſs as ſhall come at their Hands from the ſaid Commiſſioners, or any Eleven of them, according to the Tenor and Effect of the ſaid Proceſs to them directed, without Favour or Affection, upon Pain to make ſuch Fine as ſhall be put upon them, or any of them, by the Diſcretion of the ſaid Commiſſioners, or any Eleven of them.

Collectors Coſts and Charges to be allowed them.

VII. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any Eleven of them, ſhall have full Power and Authority to allow ſuch reaſonable Coſts and Charges to the ſaid Collector or Collectors, as by their Diſcretion ſhall be thought convenient; and that the ſaid Collector or Collectors by the ſaid Commiſſioners, or any Eleven of them nominated, ſhall immediately take upon him or them the Duty of Collector or Collectors in ſuch Manner as is herein directed, and proceed to the Collection of the Money ſo taxed as aforeſaid, on Pain of making ſuch Fine as ſhall be put upon them, or any of them, at the Diſcretion of the ſaid Commiſſioners, or any Eleven of them.

Commiſſioners may ſummon Inhabitants to ſend Negroes to amend the Road.

VIII. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any Eleven of them, be, and are hereby impowered and authorized, at any convenient Time or Times, to iſſue forth their Warrants to the Conſtable or Conſtables of the Pariſh of St. *Thomas in the Vale*, to warn the ſeveral Inhabitants of the ſaid Pariſh, and of ſuch Part of the ſaid Pariſh of St. *Catharine* as lies on the other Side of *Rio Cobre*, and ſhall make uſe of the Bridge or Bridges ſo to be built as aforeſaid, to ſend one able Negro Man for every fifty Negroes, and ſo in Proportion for a greater or leſſer Number, to be and appear on a certain Day, and at a certain Place therein to be mentioned, in order to work in

in the repairing and amending the ſaid Road, until the ſame ſhall be compleated and made paſſable. 1724.

IX. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons, upon due Notice given him, her, or them, by Conſtable or Conſtables as aforeſaid, ſhall refuſe or neglect to ſend his, her, or their due Complement or Proportion of good able working Negroes, with proper and convenient Tools, he, ſhe, or they ſo refuſing ſhall forfeit the Sum of Five Shillings *per* Day for every Negro wanting; which ſaid Forfeitures ſhall be recovered by Warrant under the Hands and Seals of the ſaid Commiſſioners, or any Eleven of them; and in caſe any Perſon or Perſons ſhall ſend his Negro or Negroes without convenient Tools, he, ſhe, or they ſo offending, ſhall, for every Day each Negro ſhall be without convenient Tools, forfeit Five Shillings; to be recovered by Diſtreſs and Sale thereof, in ſuch Manner and Form as the Money herein before to be taxed is directed to be levied. Penalty on Inhabitants not ſending their Negroes, &c.

X. And be it further enacted by the Authority aforeſaid, That in caſe of the Death or Abſence from this Iſland of any of the ſaid Commiſſioners during the Time aforeſaid, in every ſuch Caſe it ſhall and may be lawful for ſuch and ſo many of them as ſhall be in this Iſland, or the major Part of them, to chooſe one or more Perſons in the Room of him or them that ſhall be dead or abſent, and he or they ſo choſen ſhall have equal Power and Authority with the other Commiſſioners, and to all Intents and Purpoſes be deemed and taken as one of them. In Caſe of Death, &c. new Commiſſioners to be choſen.

XI. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any Eleven of them, have full Power and Authority, and they are hereby accordingly impowered and authorized, by themſelves, or any of them, or by any Perſon or Perſons, Labourers, or others, by them, or any Eleven of them nominated or appointed, to cut, carry away, or make uſe of all ſuch Timber and other Wood and Stone as may be convenient, uſeful, or neceſſary for building or erecting the ſaid Bridge or Bridges, or repairing or amending the ſame, or the ſaid High Road, or for burning of Lime for the Uſe of the ſaid Bridges or Road; and alſo to dig Stone, Gravel, Clay, Marl, Sand, or Earth, in any Land (not planted) that they ſhall think neceſſary or convenient; and the Lime ſo burnt, Stone, Gravel, Clay, Marl, Sand, or Earth ſo dug, to carry away, and uſe towards the building and preparing the ſaid Bridge or Bridges, or the ſaid High Road, without Lett, Suit, Trouble, Moleſtation, or Hindrance from any Perſon or Perſons whatſoever. Commiſſioners impowered to cut Timber for building the Bridges, &c.

XII. And in caſe any Perſon or Perſons ſhall implead, ſue, perplex, or trouble the ſaid Commiſſioners, or any of them, or any Perſon or Perſons by them, or any Eleven of them employed, authorized, or impowered, for any Cauſe, Matter, or Thing whatſoever, by him or them done in purſuance of this Act, every Perſon or Perſons impleaded, ſued, perplexed, vexed, or troubled, ſhall and may give this Act in Evidence, or plead it in bar to any Suit or Suits, Action or Actions ſo to be brought as aforeſaid; and that it ſhall be allowed by all and every Judge and Judges, before whom ſuch Action or Actions, Suit or Suits, ſhall be commenced or proſecuted, under the Penalty of One hundred Pounds; and the Perſon or Perſons ſo ſuing, impleading, or proſecuting, ſhall pay treble Coſts, Charges, and Expences, which the Party or Parties ſued, impleaded, or proſecuted ſhall be at; to be recovered by Action of Debt, Bill, Plaint, or Information in the Supreme Court of Judicature of this Iſland, wherein no Eſſoin, Protection, Injunction, or Wager of Law ſhall be allowed, or *Non vult ulterius proſequi* be entered; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding. Perſons ſued may plead this Act in bar.

XIII. Provided always, That nothing in this Act contained ſhall be conſtrued, deemed, or taken to extend to, or charge any Perſon or Perſons whatſoever, or their Eſtates, with the Payment of any Sum or Sums of Money, for or towards the erecting, building, or ſupporting of any of the Bridge or Bridges ſo intended to be erected, built, or ſupported, as aforeſaid, ſave only ſuch Perſons or Owners, or Proprietors of ſuch Plantations in the ſaid Pariſh of St. *Thomas in the Vale*, as ſhall Proviſo.

1724. ſhall make uſe of the ſame; any thing herein contained to the contrary notwithſtanding.

Charges of Paſſing this Act, by whom to be paid.

XIV. And be it further enacted by the Authority aforeſaid, That all Fees and Charges to the reſpective Officers for paſſing of this Act, ſhall be paid out of the Stock of the Pariſh of St. *Thomas in the Vale*, by the Church-wardens of the ſaid Pariſh.

Forfeitures how to be gathered and applied.

XV. And be it further enacted by the Authority aforeſaid, That all the Fines and Forfeitures ariſing or to ariſe by virtue of this Act, ſhall be collected and gathered in ſuch Manner as the ſaid Commiſſioners, or any Eleven of them, ſhall direct and appoint; to be applied towards repairing and maintaining the ſaid Bridge and Bridges, and Road; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

An Act for the more effectual Encouragement of the ſettling of this Iſland, and ſecuring the Sea Coaſts thereof.

Act 82. WHEREAS the Settling and Inhabiting the Sea Coaſts and other waſte Lands of this Iſland, is of the greateſt Conſequence to it; and the Deſtruction of ſuch Settlements, and the Impoveriſhment of their Owners, is not only a great Loſs to the Iſland, and its Trade and Credit in general, but is the greateſt Diſcouragement from ſettling near the Sea Coaſt, on whoſe Safety and Security the Value of the Eſtates in the Centre of the Iſland does in a great Meaſure depend: And there being nothing more reaſonable than that the Loſs of thoſe who are ſituated on the Frontiers and other out and waſte Parts of the Iſland, by which they become a Guard and Barrier to the Whole, ſhould be borne by the Publick; may it therefore pleaſe your Majeſty that it may be enacted, and be it enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted and ordained by the Authority of the ſame,

Owners of Plantations, &c. ſuſtaining Loſſes by Pirates, &c. how to be compenſated

That Three fourth Parts of all Loſſes which ſhall be ſuſtained by the Inhabitants or Owners of Plantations or Settlements in this Iſland, and which ſhall be occaſioned either by Pirates or rebellious Negroes, ſhall be made good and compenſated to every ſuch Inhabitant or Owner by the Publick; which Reparation ſhall be raiſed by a Tax upon Negroes, to be aſſeſſed and collected in ſuch Manner and Form as was directed and appointed by an Act, entituled, *An Act for granting a Supply to his Majeſty for ſeveral Uſes**, paſſed in *November* One thouſand ſeven hundred and twenty-three.

* *Expired.*

by Receiver-general,

II. And be it further enacted by the Authority aforeſaid, That the Receiver-general for the Time being, ſhall, out of ſuch Money, pay every ſuch Inhabitant or Owner, or their Repreſentatives, ſuch Sum and Sums of Money as he ſhall have loſt in Value by either of the aforeſaid Ways and Means, according to the Proportion and Direction herein before ſpecified.

unleſs Fraud, &c. appears in ſuch Owners.

III. Provided always, That ſuch Loſs ſhall be aſcertained by a Verdict of a Jury of Twelve Men upon their Oaths, in the Supreme Court of Judicature in this Iſland, upon an Iſſue, which is hereby ordered and directed to be tried for that Purpoſe; which Jury ſhall alſo enquire whether ſuch Loſs happened by the Connivance, Fraud, or wilful Default or Neglect of ſuch Inhabitant or Owner; in either of which Caſes he or they are hereby reſpectively declared not to be entitled to any Benefit or Advantage by this Act; any thing herein before contained to the contrary notwithſtanding.

Perſons not having a Number of white Men in Proportion to their Negroes, &c. excluded the Benefit of this Act.

IV. Provided always, That no Perſon ſhall be entitled to the Benefit of this Act, but ſuch as ſhall not be, for Six Weeks at any one Time next before ſuch Loſs ſhall happen, without able white Men reſiding on the Plantation where ſuch Loſs ſhall happen, in Proportion to his Negroes and Cattle, according to the Rules and Directions of an Act of the Governor, Council, and Aſſembly, paſſed in *November* One thouſand ſeven hundred and twenty-four, entituled, *An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money in caſe they ſhall be deficient*; and

applying

applying the ſame and other Sums, to ſeveral Uſes; and that the Ability of ſuch white Men ſhall be according to the Deſcription and Meaning of the Ability requiſite for ſuch Perſons as are to bear Arms, by the Act, entituled, *An Act for ſettling the Militia:* And that where any Maſter, Owner, or Attorney ſhall return himſelf as one able Perſon within this Act, ſuch Perſon ſhall be obliged to reſide upon ſuch Plantation where he ſhall ſo return himſelf, otherwiſe he ſhall not be entitled to any Benefit by this Act. 1724.

An Act to inflict further and other Puniſhments on the Tranſgreſſors of two ſeveral Acts, the one entituled, An Act for the better Order and Government of Slaves; *and the other entituled,* An Act to prevent the enticing or inveigling of Slaves from the Poſſeſſors; and for the preventing the Tranſportation of Slaves by Mortgagers and Tenants for Life or Years; and for regulating Abuſes committed by Slaves. 1725.

Act 83.

WHEREAS the Practice of enticing, inveigling, concealing, and employing of Slaves is ſtill carried on by wickedly diſpoſed Perſons, who are encouraged thereto by the Inequality of the Penalties impoſed by the ſaid ſeveral Acts to ſuch heinous Offences, as alſo by the Difficulty of recovering ſuch Penalties againſt them in a due Courſe of Law, for want of ſuch certain Proof as by the Rules of Law is required; and the Aſſembly having conſidered the dangerous Conſequence of ſuch a Practice to the Community, not only in regard the Owners may be thereby defrauded and impoveriſhed, but a greater Opportunity would be given to Negroes to become rebellious; to reduce which Sort of Enemies the Iſland hath been and ſtill continues to be at a great Expence: For a further Remedy whereof, we moſt humbly beſeech your Majeſty that it may be enacted; be it therefore enacted by your Majeſty's Governor, Council, and Aſſembly of this your Iſland of *Jamaica*, and it is hereby enacted by the Authority of the ſame, That whoſoever ſhall hereafter, upon any Pretence whatſoever, entice, inveigle, hide, conceal, or employ the Slave or Slaves of any other Perſon, ſuch Perſon ſo enticing, inveigling, hiding, concealing, or employing ſuch Slave or Slaves, upon Proof of ſuch Offence to the Satisfaction of any Two of the Judges of the Supreme Court of Judicature of this Iſland, or of any Three Juſtices of the Peace, who are hereby impowered to hear and determine ſuch Offence, ſhall, over and above the Penalties inflicted by the ſaid Act, ſuffer one Year's Impriſonment, without Bail or Mainprize.

Penalty on enticing away or employing another's Slaves.

II. And be it further enacted by the Authority aforeſaid, That whatſoever Slave or Slaves ſhall hide or entertain any Slave, either of their Owner or Maſter, or of any other Perſon, ſuch Slave or Slaves guilty of ſuch hiding or entertaining, ſhall be further puniſhed according to the Diſcretion of any Two of the Judges of the Supreme Court of Judicature aforeſaid, or of any Three Juſtices of the Peace, who are hereby impowered to hear and determine ſuch laſt mentioned Offence.

Slaves guilty of ſuch Offence, how to be puniſhed.

III. And be it further enacted by the Authority aforeſaid, That the Penalty of One hundred Pounds impoſed by the ſaid Act, entituled, *An Act for the better Order and Government of Slaves*, upon ſuch Perſon as ſhall attempt or endeavour to ſteal or carry off this Iſland, hide, conceal, or employ any Slave, ſhall and may from henceforth be recovered before any Two of the Judges of the Supreme Court of Judicature aforeſaid, or before any Three Juſtices of the Peace; who are hereby impowered to hear and determine ſuch Cauſe, upon ſuch Proof as ſhall appear to them ſatisfactory.

Clauſe for the more eaſy recovering the 100 *l.* Penalty impoſed by a former Act.

IV. And be it further enacted by the Authority aforeſaid, That if any free Negro, free Mulatto, or free *Indian*, ſhall hereafter be guilty of employing,

1725. hiding, concealing, enticing, entertaining, or ſending off from this Iſland any runaway or rebellious Negro, or other Slave, every ſuch free Negro, *Indian*, or Mulatto, ſo guilty of any ſuch Offence, ſhall forfeit his Freedom, and be tranſported off this Iſland, and ſold by the Order of any Two of the Judges of the Supreme Court of Judicature of this Iſland, or of any Three Juſtices of the Peace for the Time being, who are hereby impowered to hear and determine every ſuch Offence, and to make ſuch Orders, and to direct the due Execution thereof; and the Money ariſing by the Tranſportation and Sale of ſuch free Negroes, *Indians*, and Mulattoes, to be to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Free Negroe, &c. employing a runaway Negroe, to forfeit his Freedom, &c.

An Act to prevent clandeſtine Trade.

Act 84. WHEREAS *French*, *Dutch*, *Spaniards*, and other Foreigners, pretending to be drove into this Iſland by Streſs of Weather, or other Diſabilities, have been received, provided, and furniſhed as Perſons in ſuch a Condition ought to have been by the Law of Nations, and the Treaties now ſubſiſting between his Majeſty and the ſeveral Princes and States in Amity with him: And whereas ſuch Foreigners have ſo far abuſed the Indulgence granted them, that when they have gone out of the Harbours of this Iſland, they have, in ſome outward Creeks or Bays, ſold Part of their Cargoes to the Inhabitants of this Iſland, who either carried the Goods ſo bought to the *Spaniſh* Coaſt, or landed and retailed them in this Iſland, whereby the ſeveral Laws and Statutes made for the Encouragement of the *Britiſh* Trade and Navigation have been eluded, his Majeſty defrauded of the Cuſtoms aad Duties due on Commodities of foreign Growth, to the great Diſcouragement of the trading Part of his Majeſty's Subjects of this Iſland, and Diminution of the *Britiſh* Trade; and for that thereby great Sums of its current Caſh is carried away into foreign Parts, and out of his Majeſty's Dominions: We, your Majeſty's moſt dutiful and loyal Subjects, the Council and Aſſembly of this your Majeſty's Iſland of *Jamaica*, for the Prevention of the many pernicious and evil Conſequences that may befal this Iſland by the ſaid Practices (if not timely prevented) moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted by the Authority of the ſame, That the Maſter of every *French*, *Dutch*, and other foreign Ship or Veſſel that ſhall come in any Port, Harbour, or Bay in this Iſland, on Pretence of being drove in by Diſtreſs of Weather, Want of Proviſions, or other Diſabilities whatſoever, ſhall, within twenty-four Hours after ſuch his coming into any ſuch Port, Harbour, or Bay in this Iſland, wait upon the Governor, or Commander in Chief for the Time being, and diſcover upon Oath the real Truth and Occaſion of ſuch his coming in, and his neceſſary Wants, and the true and exact Quantities of Money, Bullion, Goods, Wares, and Merchandize, he hath on board his ſaid Ship or Veſſel, under the Penalty of the Forfeiture of ſuch Ship or Veſſel.

Maſters of foreign Veſſels drove on this Iſland by Streſs of Weather, to deliver to the Governor an Account of their Cargoes upon Oath, &c.

II. Which Oath the Governor, or Commander in Chief for the Time being, is hereby impowered to adminiſter; and to order and direct the Naval-Officer for the Time being immediately, and without Delay, to ſupply him with ſuch Neceſſaries as he ſhall have occaſion for, at the beſt and cheapeſt Rates and Prices the ſame are to be ſold for in this Iſland, and in no other Manner whatſoever; for which the ſaid Maſter ſhall pay out of the Money he hath on board (if any) and if he hath no Money, then out of ſuch Part of his Cargo as ſhall be ſufficient to anſwer ſuch his neceſſary Occaſions.

Neceſſaries to be ſold them at the cheapeſt Rates.

III. And be it further enacted by the Authority aforeſaid, That no ſuch *French*, *Dutch*, or other Foreigner, if he hath not Money to purchaſe ſuch Neceſſaries as he ſhall really want, or any Part of it, ſhall ſell or diſpoſe of any more Goods, Wares, or Merchandize, than to ſupply what Neceſſaries he ſhall want over and above the Amount of his Money, and that by Leave of the Governor for the Time

No greater Part of their Cargoes to be ſold, than what is requiſite to ſupply them with Neceſſaries.

Time being, and at publick Outcry, firſt fixing up three Days Notice in the moſt noted Places of the three Towns of St. *Jago de la Vega*, *Port Royal*, and *Kingſton*, under the Penalty of the Forfeiture of ſuch Ship or Veſſel and Cargo. 1725.

Perſons buying or bringing on Shore the Goods of Foreigners, to forfeit 500 *l.* and the Goods.

IV. And all and every Perſon or Perſons who ſhall purchaſe any Goods, Wares, or other Merchandize, of or from any ſuch *French*, *Dutch*, or other Foreigner, other than as aforeſaid, or land or bring them, or any of them, aſhore in this Iſland; and all and every Perſon or Perſons who ſhall be aiding and aſſiſting to the bringing on Shore any Goods, Wares, or Merchandize ſo bought or purchaſed, ſhall for every ſuch Offence reſpectively forfeit the Sum of Five hundred Pounds, and the Goods ſo bought or landed, and be committed, upon the Oath of any one Perſon, to Gaol, there to remain in ſafe Cuſtody, until he ſhall find good and ſufficient Security; which Forfeiture of Money ſhall be recovered, upon the Oath of any one Perſon, by Action of Debt, Bill, Plaint, or Information in the Supreme Court of Judicature within this Iſland, wherein no Eſſoin, Protection, Injunction, Wager of Law, or *Non vult ulterius proſequi* ſhall be entered or allowed.

Diſcovering ſuch Purchaſes, to have three fourths.

V. And every Perſon and Perſons who ſhall diſcover any Purchaſer of ſuch Goods, Wares, and Merchandize, or other Perſon that ſhall be concerned in aiding or aſſiſting in the landing or bringing on Shore of the ſame, ſhall have Three fourth Parts of the ſaid Forfeiture of the ſaid Five hundred Pounds; (the Whole in four equal Parts to be divided) and if any concerned in the buying, landing, or bringing on Shore ſuch Goods, Wares, or Merchandize, ſhall diſcover the ſame, he ſhall not only, as an Encouragement for ſuch Diſcovery, have the ſaid Three fourths of the ſaid Forfeiture of Money, but ſhall and is hereby acquitted, diſcharged, and indemnified from all Forfeitures and Impriſonment he may be otherwiſe ſubject to by this Act; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Foreigners to give in their Names, &c. to the *Cuſtos*, within 30 Days,

under the Penalty of 100*l.*

VI. And be it further enacted by the Authority aforeſaid, That every *Frenchman*, or other Foreigner, now in this Iſland, or that hereafter ſhall arrive, ſhall, within thirty Days from and after the firſt Day of *June* next, repair to the *Cuſtos*, or chief Magiſtrate in Commiſſion, in every Pariſh or Precinct of this Iſland, and give in a Liſt of their Names, Trades, and Vocations, how long they have been in this Iſland, and where they belong to, or come from laſt, and when naturalized, under the Penalty of One hundred Pounds, current Money; which Liſt ſhall be entered in a fair Book kept for that Purpoſe open, for the Peruſal of every Perſon demanding the ſame, without Fee or Reward; and that any *Frenchman*, or other Foreigner, not belonging to any Ship in any Port or Bay in this Iſland, who ſhall not give in his Name in Manner aforeſaid, ſhall be committed to the Gaol of St. *Jago de la Vega*, until an Opportunity offers of ſending him, if a *Frenchman*, to *Hiſpaniola*; if a *Spaniard*, to *Porto Bello*, or any of the *Spaniſh* Colonies, or *Great Britain*; and if a *Dutchman*, to *Curaſoa*, or *Great Britain*, or to ſuch other Place as he ſhall be inclinable to go to, unleſs he takes out Letters of Naturalization within thirty Days, as aforeſaid.

Foreign Veſſels ſubject to the ſame Rules as *Engliſh*.

VII. And that every *French*, *Dutch*, or *Spaniſh* Ship, or other Veſſel, which hereafter ſhall arrive in any Bay, Harbour, Port, or Creek of this Iſland, ſhall be ſubject to ſuch Port-charges, Viſitations, Rules, and Orders, as the Ships or Veſſels of his Majeſty's Subjects trading hither are; and that no Foreigner whatſoever, or other Perſon than his Majeſty's natural-born Subjects, ſhall, without ſpecial Leave of the Governor, or Commander in Chief of this Iſland for the Time being, under his Hand and Seal firſt had and obtained, enter into any of his Majeſty's Fortifications in this Iſland.

Foreigners not to enter into any Fortifications without Leave.

This Act to be printed.

VIII. And to the Intent that no Perſon may plead Ignorance to this Act, be it enacted by the Authority aforeſaid, That the Receiver-General do, within three Months after the paſſing of this Act, cauſe the ſame to be printed, the Charge of which ſhall be allowed him out of any Money unappropriated in his Hands; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

An

1725. *An explanatory Act for the further encouraging the ſettling the Pariſh of* Portland.

Act 85. WHEREAS ſeveral Acts of the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, made for the ſettling the North-eaſt Part of this Iſland, have hitherto proved ineffectual; for the perfecting therefore a Work ſo neceſſary to the Security, and beneficial to the Trade of this Iſland, may it pleaſe your Majeſty that it may be enacted; be it therefore enacted by your Majeſty's Governor, Council, and Aſſembly of this your Iſland of *Jamaica*, and it is hereby enacted by the Authority of the ſame, That all or any of the Inhabitants of this your Majeſty's Iſland of *Jamaica*, who ſhall patent and ſettle Land there, ſhall be entitled to, and enjoy all the Privileges, Benefits, Rights, and Immunities, which any Stranger or new Comer to this Iſland to ſettle the ſame is or may be in any way entitled unto by virtue of an Act, entituled, *An Act for ſettling the North-eaſt Part of the Iſland*; and one other Act, entituled, *An Act for the encouraging white People to come over and become Settlers in this Iſland, and for the more eaſy and ſpeedy ſettling the North-eaſt Part thereof*; any thing in the ſaid Acts to the contrary in any wiſe notwithſtanding.

Perſons ſettling in the Pariſh of *Portland*, entitled to the ſame Privileges as new Comers.

II. And in order to enlarge the Time for ſuch as ſhall become Settlers there to carry on their ſaid Settlements, and to explain what ſhall be deemed a Settlement within the Meaning of the ſaid Acts, be it therefore further enacted by the Authority aforeſaid, That the Governor, or Commander in Chief for the Time being, ſhall grant to every Perſon willing to become a Settler within the Tract of Land of Thirty thouſand Acres, mentioned in the ſaid Acts, a Quantity of Land, not exceeding five hundred Acres, in Proportion to the Number of Negroes and white Men they are willing and ready to put thereon, and perfect the Settlement thereof, and alſo a Lot of Land in the Town of *Titchfield*, to them, their Heirs and Aſſigns for ever; with a Condition or Proviſo in the ſaid Grant, That every Perſon ſo patenting any Parcel of Land, ſhall be obliged to build and erect a Houſe on ſuch a Lot in the ſaid Town within ſix Months from the Date of ſuch his Patent, and to maintain and repair the ſame; and to keep one white Perſon actually reſiding thereon (at the leaſt) for and during the Term of four Years from and after the Expiration of the ſaid ſix Months; and alſo to begin and carry on a Settlement on his ſaid Land in Proportion to the Number of Acres in it, *viz.* two Negroes for every hundred Acres in his ſaid Grant; and if it contains five hundred Acres, then with one white Man and ten Negroes at the leaſt, within the firſt twelve Months after the Date of ſuch his Patent; and alſo one other white Man and ten Negroes more at the leaſt on the ſaid Land, yearly and every Year after, till ſuch Time as he hath put and ſettled thereon one white Man and ten Negroes for every hundred Acres contained in his Grant, and ſo in Proportion for a greater or leſſer Number of Acres; under the Penalty of forfeiting all the Lands ſo to him or them granted, and all his or their Right or Title thereto, to his Majeſty, his Heirs and Succeſſors, and from thence all ſuch Grants and Patents to ceaſe and utterly to become void to all Intents and Purpoſes, and be veſted in his Majeſty, his Heirs and Succeſſors; and by him to be regranted, according to the Terms, Limitations, and Reſtrictions in this Act, to ſuch other Perſons as ſhall deſire the ſame; any thing in the ſaid Acts to the contrary notwithſtanding.

Land to be granted them in Proportion to the Number of Negroes they put thereon;

conditioned to build a Houſe on the ſame within ſix Months, and to carry on a Settlement.

Land forfeited to his Majeſty, in caſe of Non-compliance.

III. And for the enlarging the ſaid Town of *Titchfield*, and more regular laying out, and ſpeedy and commodious building of the ſame, be it enacted by the Authority aforeſaid, That there be added to, and laid out, as Part of the Town of *Titchfield*, Fifty Acres more of the Land, next adjoining to the fifty Acres laid out for a Town on *Pattiſon's Point*, to be granted and laid out in Lots, in like Manner as the ſaid other fifty Acres; and alſo One hundred Acres more, next adjoining to the two hundred and fifty Acres laid out for a Common belonging to the ſaid Town, be added to, and taken as a Part and Parcel of the ſaid Common, for the enlarging thereof; and that the ſaid Town be laid out with ſuch Lots, Streets, publick Buildings, and in ſuch Manner and Form, as the Governor, or Com-

50 Acres added to the Town of *Titchfield*.

Commander in Chief for the Time being, ſhall order and direct; any thing in the ſaid Acts to the contrary notwithſtanding. 1725.

IV. And be it further enacted by the Authority aforeſaid, That the Commiſſioners by the Acts appointed are hereby required, within three Months after the paſſing of this Act, and Notice thereof, under the Penalty of One hundred Pounds, to take ſuch Oath or Oaths, and in ſuch Manner, as in and by the ſaid Acts, or either of them, is limited and directed. Commiſſioners to take the Oaths appointed within 3 Months.

V. And for the further Encouragement of all ſuch as ſhall become Settlers there, be it enacted by the Authority aforeſaid, That every Perſon ſo beginning and carrying on a Settlement within the Tract of Thirty thouſand Acres, in the ſaid Acts mentioned, ſhall, for and during the Space of three Years next after the Date of ſuch their Patents, be freed and exempted from all Manner of Taxes whatſoever, which ſhall be aſſeſſed, taxed, or laid upon them, or any of them, on account or by reaſon of their Houſes, Negroes, or Cattle, built, and uſed upon, and employed in the carrying on ſuch their Settlements. Perſons carrying on Settlements, exempted from Taxes for 3 Years.

VI. And be it further enacted by the Authority aforeſaid, That all Owners and Proprietors of the Land adjacent to the ſaid Tract of Thirty thouſand Acres, and within the Bounds of the ſaid Pariſh of *Portland*, ſhall and may be at Liberty to ſettle and carry on Plantations in their ſaid Lands reſpectively, ſo that they begin their ſaid Settlements reſpectively within five Years next from and after the paſſing of this Act; any Penalty, Forfeiture, or Thing whatſoever in the ſaid Acts, or either of them, contained to the contrary in any wiſe notwithſtanding. Owners of Land adjacent, to carry on Plantations there if begun within 5 Years.

An Act for granting a Revenue to his Majeſty, his Heirs and Succeſſors, for the Support of the Government of this Iſland; and for reviving and perpetuating the Acts and Laws thereof. 1728.

May it pleaſe Your Moſt Excellent Majeſty, Act 86.

We, your Majeſty's moſt dutiful and loyal Subjects, the Aſſembly of *Jamaica*, conſidering that the greateſt Part of your Majeſty's Revenue in this Iſland, as it was eſtabliſhed, did determine on the firſt Day of *October*, in the Year of our Lord One thouſand ſeven hundred and twenty four, and being deſirous to diſtinguiſh your Majeſty's moſt auſpicious Reign, have freely and unanimouſly reſolved, not only to revive and continue the ſaid Revenue, but to augment it to a Degree ſuitable to the Dignity and State, as well as the Support of your Government, and alſo to give it ſuch a Duration as, we hope, is deſigned by the divine Providence, for the Succeſſion of the Crown in your Royal Line: We therefore moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by your Majeſty's Governor, Council, and Aſſembly of this Iſland, and it is hereby enacted and ordained by the Authority of the ſame, That from henceforth all the Goods, Wares, and Merchandize herein after ſpecified, which ſhall be imported into this your Majeſty's Iſland, ſhall pay, as a Duty and Impoſt, to his Majeſty, his Heirs and Succeſſors, the following Duties, and no more, *viz.* All *Spaniſh* and *Madeira* Wines, ſix Pounds *per* Ton; and alſo all Wines imported, of the Growth of the *Weſtern Iſlands*, or Mixture of the *Madeira* Wines, with thoſe of the *Weſtern Iſlands*, commonly called the *Azores*, twelve Pounds *per* Ton; every Ton of *French*, *Rheniſh*, or *Portugal Wines*, five Pounds; every Gallon of *Brandy*, *Arrack*, or other Spirits, eighteen Pence; every Ton of Caſk or bottled Beer, Ale, or Cyder, forty Shillings; every Ton of *Mum*, or *Metheglin*, three Pounds; for every Pound Weight of refined Sugar, ſix Pence; for every hundred Pounds Weight of *Muſcovado*, or *Paneel* Sugar, three Shillings; for every Pound Weight of Tobacco, four Pence; for every hundred Pound Weight of Ginger, fifteen Shillings; for every Pound Weight of Indico, three Pence; for every Pound Weight of Cotton, three Pence; for every hundred Pounds Weight of Cocoa, to be imported by Veſſels of this Iſland, the Sum of fifteen Shillings; and for every hundred Pounds Weight of Cocoa, to be imported by The Duties to be paid on all Liquors, &c. imported into this Iſland,

1728. Veſſels not belonging to this Iſland, twenty Shillings; and ſo proportionably for a greater or leſſer Quantity of the ſeveral Goods, Wares, and Merchandize aforeſaid, imported into this Iſland.

which are to be paid in ten Days, or Security given for the Payment, &c.

II. And be it further enacted by the Authority aforeſaid, That every Merchant, or other Perſon, importing any of the Wines, or other Merchandize before mentioned into this Iſland, ſhall (being thereunto required by his Majeſty's Receiver-General, his Deputy, or Collector) within ten Days after importing the ſame, make up Accounts and pay, or (if exceeding the Sum of five Pounds) give Bond to his Majeſty, in the Penalty of double the Value the ſame ſhall amount unto, for the ſure Payment of the Impoſt hereby raiſed on the Goods and other Merchandize aforeſaid; and upon Payment of the ſaid Impoſt, ſhall be allowed after the Rate of ten *per Cent.* for Leakage and prompt Payment, and ſhall have Time given him in the ſaid Bond for Payment of the ſaid Impoſt, as is herein after mentioned; that is to ſay, at the End and Expiration of the firſt ſix Weeks from the Entry of the ſaid Goods or Merchandize, to pay one Half thereof, and the other Half at the End of twelve Weeks from the ſaid Entry; but in caſe the Payment of the ſaid Duties and Impoſt be not made by the End of the firſt three Months from and after the ſaid Entry made, that then the ſaid ten Pounds *per Cent.* for prompt Payment ſhall not be allowed them.

How Diſputes between Officer and Importer are to be determined.

III. And in caſe any Difference ſhall ariſe between the Officer and the Importer or Maſter of the Veſſel, touching Wine or Liquors that ſhall happen to ſour within the aforeſaid ten Days, the Perſon or Perſons ſo aggrieved ſhall have a Warrant of Survey from the Naval Officer for the Time being (who is hereby impowered and required to grant the ſame) and that Returns of ſuch Warrants to be granted as aforeſaid, ſhall be made upon Oath to the ſaid Naval Officer, and by him remitted to the Receiver's Office, in order to the making up their Accounts with the ſaid Receiver; which ſaid Warrant ſhall be iſſued, executed, and returned within twenty-five Days after the Arrival of the Ship or Veſſel importing the ſaid Liquors.

Importer, &c. refuſing to make up his Accounts, to loſe the Benefit of ten *per Cent* for Leakage, &c.

IV. And in caſe any ſuch Maſter or Importer ſhall (being thereunto required, as aforeſaid) refuſe to make up his Accounts. and to pay, or give Bond, as aforeſaid, he ſhall loſe the Benefit of ten *per Cent* for Leakage, and the Time given for Payment of the Impoſt; and if the Receiver-General ſhall be forced to ſue for the ſame, and ſhall thereupon recover, the Defendant ſhall pay Intereſt, at the Rate of ten Pounds *per Cent. per Annum*, from the Time the ſaid reſpective Sums ſo recovered ſhall become payable.

Upon Importation of *Madeira* Wines, the following Oath to be taken,

V. And it is further enacted by the Authority aforeſaid, That if at the Entry of any Ship or Veſſel in the Naval Office, it ſhall appear by the Maſter's Report or otherwiſe, that he hath imported any *Madeira* Wines; he the ſaid Maſter, or the Boatſwain, ſhall take the following Oath, which the ſaid Naval Officer is hereby impowered and required to adminiſter:

I A. B. *do ſwear, That the Wines by me imported were taken on board at the Iſland of* Madeira; *and that I do not directly or indirectly know but that the ſaid Wines are of the Growth of the ſaid Iſland, without any Mixture of the Wines of the Growth of any of the* Weſtern Iſlands.

So help me God.

or the Wines be deemed of the Growth of the *Weſtern Iſlands*, and pay Duty accordingly.

VI. And if the ſaid Maſter or Boatſwain ſhall refuſe to take the aboveſaid Oath, that then the ſaid Wines ſo imported ſhall be deemed and taken to be Wines of the Growth of the *Weſtern Iſlands*, and ſhall accordingly pay the Duty or Impoſt herein laid on the ſaid Wines laſt mentioned.

Ships coming from the Northward of the Tropick of *Cancer* to trade here, to pay 1 *lb.* of Gunpowder *per* Ton;

VII. And it is likewiſe further enacted and declared by the Authority aforeſaid, That all Ships and Veſſels coming from any Place to the Northward of the Tropick of *Cancer*, to trade within this Iſland, ſhall reſpectively pay for every Ton ſuch Ship or Veſſel ſhall contain, and for every Time they ſo arrive in this Iſland, one Pound of good and new Gunpowder; and alſo all Ships and Veſſels trading any way to the Southward of the Tropick of *Cancer*, ſhall reſpectively pay for every Ton ſuch Ship or Veſſel ſhall contain, one Pound of good and new

Gunpowder

Gunpowder once every Year, and no more, for and towards the Uſe of his Majeſty's Forts and Fortifications. 1728.

VIII. And it is likewiſe further enacted and ordained by the Authority aforeſaid, That the Captain of his Majeſty's Fort, or any Perſon by him to be appointed for the Receipt of ſuch Gunpowder, ſhall receive the ſame in Specie, and not preſume, in lieu thereof, to receive Money, or any other Conſideration whatſoever, upon Penalty of Five hundred Pounds, current Money of this Iſland, for every ſuch Offence: But for the Eaſe of any Perſon or Perſons who are obliged to pay any odd Pounds of Gunpowder under the Quantity of a Barrel, he or they may be at Liberty to pay to the Receiver-General, or his Deputy, and to no other Perſon whatſoever (under the Penalty of Fifty Pounds) at and after the Rate of eighteen Pence *per* Pound in Money, for ſo many Pounds Weight of Powder as he ought to pay under the Quantity of a Barrel as aforeſaid; for which Money the ſaid Receiver-General, or his Deputy, ſhall give a Receipt without Fee or Reward.

which ſhall be paid in Specie and not Money, &c.

IX. And be it further enacted by the Authority aforeſaid, That if at any Time there ſhall be Powder wanting in his Majeſty's Fort for the neceſſary Expence thereof, the Receiver-General ſhall provide the ſame, and deliver it accordingly; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding.

By whom Powder ſhall be provided for the King's Fort,

X. And that his Majeſty may not be defrauded of the Gunpowder directed to be paid into his Fort, be it enacted by the Authority aforeſaid, That the Captain of the Fort, *Fort Charles* upon *Port Royal*, for the Time being, ſhall be, and he is hereby required and obliged to keep a Book, wherein ſhall be particularly ſet down the juſt Quantity of Gunpowder which ſhall be received into the Fort for the Uſe of his Majeſty, and likewiſe what ſhall be expended, and upon what particular Account or Occaſion, and ſhall once every Year produce ſuch Book to the Governor, or Commander in Chief; and ſhall, when, and as often as thereunto required by the Council and Aſſembly, when ſitting, or by any Committee by them or either of them to be appointed, give in a juſt and true Account before them of the particular Quantity of Gunpowder received and expended as aforeſaid, and upon what Account or Occaſion, and take the following Oath before the Governor, or Commander in Chief, which ſhall be tranſcribed and ſigned by him in the ſaid Book, *viz.*

and the Captain of it to enter an Account of all he receives in a Book, &c.

I A. B. *do ſwear, That to the beſt of my Knowledge and Belief the Account now by me ſubſcribed and delivered in, is an exact and true Account of all the Gunpowder that has been received, purſuant to an Act, entituled,* An Act for granting a Revenue to his Majeſty, his Heirs and Succeſſors, for the Support of the Government of this Iſland; and for reviving and perpetuating the Acts and Laws thereof; *and that hath been really and* bona fide *expended, according to the Account herewith delivered in upon Oath.*

So help me God.

His Oath.

Under the Penalty or Forfeiture of Five hundred Pounds of current Money of this Iſland, for every his ſuch Neglect or Refuſal.

XI. And whereas great Inconveniencies have happened to the fair Trader by the clandeſtine Running of Goods, to the great Diminution of his Majeſty's Revenue, in regard no ſufficient Proviſion has hitherto been made to oblige Maſters to give in a Manifeſt upon Oath of their lading and diſcharging the ſame in a prefixed Time; be it therefore further enacted by the Authority aforeſaid, That all Maſters, Mates, Supercargoes, and Merchants of Ships, Sloops, or other Veſſels that ſhall arrive in any Harbour, Road, Bay, Creek, Port, Haven, or Quay within this Iſland, or that ſhall come to an Anchor, or unload, diſcharge, or deliver over any Part of her Loading at or in any Harbour, Road, Bay, Creek, Port, Haven, or Quay belonging to, or within Sight of this Iſland, loaden with, or having on board any Goods, Wares, or Merchandize liable to any of the Duties herein before mentioned, ſhall, and are hereby reſpectively charged and obliged, within Forty-eight Hours after his or their Arrival, to deliver unto the Receiver-General, or his lawful Deputy, in Writing, a juſt and true Account of all Goods, Wares, and Merchandize on board his or their Ship or Veſſel, and to whom conſigned;

Maſters, &c. of Veſſels to deliver in an Account of their Loading in 48 Hours after their Arrival, upon Oath.

1728. ſigned; and ſhall (under the Penalty of Five hundred Pounds for every Neglect or Refuſal) take the following Oath;

Their Oath. I A. B. *do ſwear, That the above Manifeſt is a juſt and true Report of all the Goods, Wares, and Merchandize on board the Ship or Veſſel called the , whereof I am or is Maſter; and that I have not, nor will land, or ſuffer to be landed, or put out of my ſaid Ship or Veſſel any of the ſaid Goods, Wares, or Merchandize, till a Certificate be firſt had and obtained from the Receiver-General, or his lawful Deputy, that the Duties are duly paid or ſecured.*

So help me God.

Which Oath the Receiver-General, or his lawful Deputy, is hereby impowered and directed to adminiſter, under the Penalty of Five hundred Pounds for every Neglect or Refuſal; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding.

Goods, &c. landed before Duty paid, forfeited. XII. And it is likewiſe further enacted by the Authority aforeſaid, That if any Maſter or Commander of any Ship or Ships, Merchant, Factor, Purſer, Mariner, or any other Perſon whatſoever, without the Preſence of the Receiver-General, or his lawful Deputy, or ſome Perſon appointed by him or them, or Notice given to one of them, or before his or their regular Entry made with the ſaid Receiver-General, or his lawful Deputy, or Payment of the Duty, or Security given by Bond as aforeſaid, ſhall put on Shore, or put into any Boat or Veſſel, in order to the landing any of the Goods, Wares, or Merchandize contained or mentioned in this Act, or deliver over the ſame, or any Part thereof, to any other Ship or Veſſel, the ſaid Goods, Wares, and Merchandize being ſeized by the Receiver-General, or any Perſon authorized by him, ſhall be forfeited, one Third to his Majeſty, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; one Third to the Governor or Commander in Chief for the Time being; and the other Third to ſuch Perſon or Perſons as ſhall ſue for the ſame; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Collector, &c. may ſeize the ſame, unleſs the Owner make it appear that the Duties have been paid. XIII. And it ſhall and may be lawful for the Naval Officer, Receiver, Collector, or any other Perſons who ſhall be employed in collecting his Majeſty's Revenues or Cuſtoms in this Iſland, to ſeize the ſame; and on Information filed in his Majeſty's Supreme Court of Judicature, the ſame ſhall be adjudged forfeited, unleſs Claim ſhall be made within twenty Days after ſuch Information filed, and unleſs the Party claiming ſhall make it appear that the Duties of the ſame have been paid, or ſecured to be paid, according to the true Intent and Meaning of this Act; and all Manner of Perſons are hereby required to be aiding and aſſiſting to ſuch Officer or Officers ſeizing ſuch Goods, Wares, and Merchandize ſo landed or unladen contrary to the true Intent and Meaning of this Act.

Clauſe to explain a former Act. XIV. And whereas ſome Doubt hath ariſen whether the Receiver-General of this Iſland was within the Words and Meaning of an Act of Parliament paſſed in the Seventh and Eighth Year of the Reign of King *William*, entituled, *An Act for preventing Frauds, and regulating Abuſes in the Plantation Trade:* Be it therefore further enacted by the Authority aforeſaid, That the Receiver-General, or his lawful Deputy, ſhall have, by virtue of this Act, the ſame Powers and Authorities, to all Intents and Purpoſes, touching the Merchandize and Duties in this Act, as is by the ſaid Act of Parliament given and granted to the Officers for collecting and managing his Majeſty's Revenue, and inſpecting the Plantation Trade in any of the ſaid Plantations; any thing in this Act, or in any other Act or Law of this Iſland to the contrary notwithſtanding.

Penalty on Receiver-General neglecting his Office. XV. And it is likewiſe further enacted and ordained by the Authority aforeſaid, That the Receiver-General or Collector, by himſelf or Deputy, ſhall give his Attendance on all working Days at his Office, from Nine to Eleven of the Clock in the Morning, and from Two till Four in the Afternoon, upon Penalty of Twenty Pounds current Money of this Iſland for every Default.

XVI. And

1728.

XVI. And be it further enacted by the Authority aforeſaid, That the Receiver-General or Collector, or his lawful Deputy, ſhall have and detain the Sum of Five Pounds *per Cent.* and ſo *pro ratâ*, and no more, *viz.* Two Pounds and ten Shillings *per Cent.* for receiving, and Two Pounds ten Shillings *per Cent.* for paying, for ſo much Money only as he ſhall actually receive and pay by virtue of this Act; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Receiver-General's Allowance.

XVII. And be it likewiſe enacted and ordained by the Authority aforeſaid, That all and every Perſon and Perſons whatſoever within this Iſland, which from henceforth ſhall have or receive from the Governor or Commander in Chief of this Iſland, a Licence to ſell and retail any ſtrong Liquors in any Part of this Iſland, ſhall pay to his Majeſty, his Heirs and Succeſſors, yearly, and every Year he ſhall take out or renew the ſame, the Sum of Five Pounds, current Money of this Iſland; and whoſoever ſhall preſume to ſell by Retail any of the ſtrong Liquors mentioned in this Act, without ſuch Licence had and obtained as aforeſaid, ſhall forfeit for every ſuch Offence the Sum of Ten Pounds of current Money of this Iſland.

5 *l.* to be paid for a Licence to ſell ſtrong Liquors.

XVIII. And it is hereby enacted and ordained by the Authority aforeſaid, That if any new Settler or Comer to this Iſland, ſhall import into the ſame any Rum, Sugar, Tobacco, Indico, Cocoa, Ginger, or Cotton, by himſelf, or any other Perſon or Perſons, for his, her, or their better Conveniency in ſettling and planting, and ſhall not only declare his, her, or their Intention of the ſame upon Oath before the Receiver or Collector, who is hereby impowered and required to adminiſter the ſame, at the Time of Importation, but ſhall likewiſe make the ſame appear within Three Months after his, her, or their Arrival, by ſome viſible Effect, which he or they ſhall ſhew in order to it (and the ſame being ſufficiently proved to the ſaid Receiver or Collector) that then and in ſuch Caſe, ſuch Importer ſhall be repaid by the Receiver General, or his Deputy, all ſuch Duty or Cuſtom which had before been paid for the ſaid Goods.

New Settlers importing Rum, *&c.* to be repaid the Duty before paid for it.

XIX. And that his Majeſty's Forts and Fortifications within this Iſland may for the future be kept in better Repair; and if his Majeſty in his great Wiſdom ſhall think convenient, other new ones built, for the better Defence of this Iſland, and further Encouragement of Perſons to come, ſettle, and plant here, whereby his Majeſty's Cuſtoms may be augmented and improved; be it further enacted by the Authority aforeſaid, That the Sum of One thouſand two hundred and fifty Pounds *per Annum*, ariſing as aforeſaid, be yearly and every Year paid and appropriated unto the repairing, building, and rebuilding of his Majeſty's Forts and Fortifications within this Iſland, and to no other Uſe, Intent, or Purpoſe whatſoever; and the ſame is hereby appropriated accordingly.

1250 *l.* to be annually applied for building of Forts, *&c.*

XX. And it is further enacted by the Authority aforeſaid, That the Collector or Receiver General of this Iſland for the Time being, or he that ſhall officiate in his Room or Stead, ſhall annually, out of the Money received by virtue of this Act, charge down the aforeſaid One thouſand two hundred and fifty Pounds, ſo as aforeſaid appropriated, to the particular Account of his Majeſty's Fortifications, and ſhall keep a diſtinct Book of Accounts for the ſame; which Book of Accounts ſhall be free and open at all Office Hours, for all Perſons to view the ſame, without paying any manner of Fee therefore.

An Account of which ſhall be kept in a Book to be provided for that Purpoſe.

XXI. And that ſuch Collector, Receiver General, or his Deputy, ſhall, when and as often as thereunto required by the Governor, Council, and Aſſembly, when ſitting, or any Committee by them, or either of them to be appointed, give in upon Oath (which Oath they are hereby impowered to adminiſter) a juſt and true Account of the particular Diſburſements out of the ſaid One thouſand two hundred and fifty Pounds *per Annum*, ſo appropriated as aforeſaid, and alſo for all Money ariſing or that ſhall come into his Hands by virtue of this Act.

Receiver-General to give in Account upon Oath,

XXII. And that the ſaid Collector or Receiver-General ſhall, with good and ſufficient Security, ſuch as ſhall be approved of by the Governor and Council, enter into Bond in the Penalty of Five thouſand Pounds; which Bond ſhall lie and be recorded in the Secretary's Office under the Condition hereafter expreſſed; that is to ſay;

and give Bond for ſo doing.

1728. Condition of the Bond.

THE Condition of this Obligation is ſuch, That if the above bounden A. B. *Collector or Receiver General ſhall well and truly account, as often as he ſhall thereunto be required by the Governor for the Time being, and Council, or the Aſſembly of this Iſland, when ſitting, or a Committee thereof, for all and every ſuch Sum or Sums of Money, which either have or ſhall come into his Hands by virtue of an Act, entituled,* An Act for granting a Revenue to his Majeſty, his Heirs and Succeſſors, for the Support of the Government of this Iſland; and for reviving and perpetuating the Acts and Laws thereof; *and alſo well and truly pay the Sum of One thouſand two hundred and fifty Pounds yearly, and every Year, of the Money ariſing and to ariſe by virtue of the ſaid Act, by Warrant from the Governor and Council, for and towards the repairing and building Forts and Fortifications; and alſo pay all other Sums of Money, according to the Intent and Meaning, and to the Uſes mentioned and directed in the ſaid Act; that then this Obligation to be void, otherwiſe to remain in full Force and Virtue.*

Penalty on Receiver General not performing his Duty.

XXIII. And in caſe the Collector or Receiver General, or his Deputy, ſhall preſume to act in the ſaid Office longer than Twenty Days after the Publication of this Act, before he or they have entered into Bond, as before required, or ſhall miſapply or pay any Part or Parcel of the One thouſand two hundred and fifty Pounds ſo applied and appropriated as aforeſaid, he or they ſhall for every ſuch Offence forfeit the Sum of Two thouſand five hundred Pounds current Money; the one Third whereof ſhall be to our Sovereign Lord the King, his Heirs and Succeſſors, for the Support of the Government of this Iſland, to be laid out upon the Fortifications; one other Third whereof ſhall be to the Governor or Commander in Chief of this Iſland for the Time being; and the other Third to him or them who ſhall ſue for the ſame in any Court of Record within this Iſland, wherein no Eſſoin, Protection, Injunction, Wager of Law, or *Non vult ulterius proſequi* ſhall be admitted or allowed; any thing in this Act, or any other ſeeming to the contrary notwithſtanding.

Not to pay any Part of the 1250 *l.* without Warrant from the Governor, *&c.*

XXIV. And that the ſaid Collector or Receiver, or his Deputy, ſhall not at any Time hereafter, upon any Pretence whatſoever, pay the ſaid One thouſand two hundred and fifty Pounds *per Annum*, or any Part or Parcel thereof, or any other Sum or Sums of Money whatſoever, ariſing by virtue of this Act, unleſs he or they ſhall firſt have and receive for his or their Authority a Warrant under the Hand and Seal of the Governor or Commander in Chief for the Time being, with the Advice and Conſent of the Council, expreſſing the Sum to be paid, and the End and Purpoſe whereunto the Sum is or ſhall be applied, with a particular Account thereunto annexed, manifeſting for what the ſaid Money became due to the Perſon to whom it is payable; and in caſe the Collector or Receiver General, or his Deputy, ſhall, contrary to the true Intent and Meaning hereof, pay any Sum or Sums of Money whatſoever; or if he or his Deputy ſhall miſapply any of the Monies ſo as aforeſaid appropriated, contrary to the true Intent and Meaning of this Act, the Offender or Offenders ſhall forfeit and pay treble the Sum by him or them ſo paid or miſapplied.

To forfeit treble the Sum miſapplied.

Diſpoſition of Forfeitures.

XXV. And it is hereby further enacted by the Authority aforeſaid, That all Penalties and Forfeitures, in this Act before mentioned, and not herein before particularly diſpoſed of, ſhall be one Third to his Majeſty, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland; one Third to the Governor, or Commander in Chief for the Time being, and the other Third to ſuch Perſon or Perſons as ſhall ſue for the ſame; to be recovered by Action of Debt, Bill, Plaint, or Information in the Supreme Court of Judicature of this Iſland: And where any Queſtion ſhall ariſe concerning the Importation or Exportation of any Goods into, or out of this Iſland, in ſuch caſe the Proofs ſhall be upon the Owner or Claimer, and the Claimer ſhall be reputed the Owner or Importer thereof; any Law, Cuſtom, or Uſage to the contrary thereof notwithſtanding.

XXVI. And to the End that no Doubt may ever remain of this faithful Aſſembly's having ſufficiently provided for his Majeſty's Government; be it enacted by

by the Authority aforeſaid, That the Eſtimate hereunto annexed ſhall be deemed to contain an Eſtabliſhment of the preſent Branches of his Majeſty's Revenue, and the ſeveral Heads of the preſent Expences chargeable on the ſaid Revenue; and that the ſaid Eſtabliſhment and Eſtimate ſhall be likewiſe reputed and accepted as Part of this Act. 1728.

The Eſtimate annexed to be deemed to contain an Eſtabliſhment of the Revenue, &c.

XXVII. And though it hath been found by Experience that the Monies ariſing by the like Duties impoſed by this Act (no Branch of which hath been found burthenſome) doth exceed the Computation aforeſaid; yet be it enacted by the Authority aforeſaid, That in Caſe the ſeveral Funds, Duties, and Impoſts in this Act mentioned, ſhould at any Time hereafter prove deficient, or fall ſhort of the clear yearly Sum of Eight thouſand Pounds; that then, and in ſuch Caſe, ſuch Deficiency or Sum that ſhall be wanting, ſhall be made good, raiſed, and appropriated, according to the Uſes in this Act mentioned, by the Aſſembly then in being, or any Aſſembly thereafter to be convened; and if there ſhould any Surpluſage or Sum of Money ariſe by the ſaid Funds, Duties, and Impoſts, over and above the ſaid Sum of Eight thouſand Pounds, that then the ſaid Surpluſage ſhall be applied to the Uſe of Parties to be raiſed for the Reduction of rebellious Negroes, or to or for ſuch other Uſe or Uſes, as the Governor, Council, and Aſſembly for the Time being, by any Law or Laws, ſhall think proper, and to and for no other Uſe, Intent, or Purpoſe whatſoever; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding.

How Deficiencies are to be made good.

XXVIII. And it is further enacted by the Authority aforeſaid, That as well his Majeſty's Quit-rents, Fines, Forfeitures, and Eſcheats, and every Part and Parcel thereof ariſing within this his Majeſty's Iſland, as the Impoſt and Revenue hereby granted, or which hereafter ſhall grow and become due by virtue of this Act, or any thing herein contained, ſhall be collected and received by the ſaid Receiver General for the Time being, or his lawful Deputy only, and ſhall be applied and appropriated, and the ſaid whole Revenue is hereby appropriated to the Support of the Government of this Iſland, and the contingent Charges thereof, and the other Uſes in this Act mentioned, and to other Uſe, Intent, or Purpoſe whatſoever. Provided always, That this Clauſe, nor any Thing therein contained, ſhall extend, or be deemed or conſtrued to extend to take off or leſſen the Prerogative of his Majeſty, his Heirs and Succeſſors, in pardoning and remitting ſuch Fines and Forfeitures, as he or they in their great Wiſdom and Clemency ſhall, on due Conſideration, think fit to pardon and forgive, or to prevent the Receiver General's accounting with the Auditor General, or ſuch other Perſon in the Kingdom of *Great Britain*, as his Majeſty, his Heirs or Succeſſors, ſhall think fit to appoint for that Purpoſe.

Quit-rents, &c. to be applied to the Support of the Government.

Proviſo.

XXIX. And be it further enacted by the Authority aforeſaid, That from and after the paſſing this Act, one Act, entituled, *An Act for raiſing a Publick Revenue, for the Support of the Government of this his Majeſty's Iſland*, made at an Aſſembly held at the Town of St. *Jago de la Vega*, by ſeveral Prorogations, the fifth Day of *September*, in the Year of our Lord One thouſand ſix hundred and eighty three; one other Act, entituled, *An Act for raiſing a Publick Revenue to the King, his Heirs and Succeſſors, for the Support of the Government of this his Majeſty's Iſland*, made at an Aſſembly held at the Town of St. *Jago de la Vega* aforeſaid, upon the twentieth Day of *July*, in the Year of our Lord One thouſand ſix hundred and eighty eight; one other Act, entituled, *An Act for raiſing a Revenue to her Majeſty, her Heirs, and Succeſſors, for the Support of the Government of this Iſland, and for maintaining and repairing her Majeſty's Forts and Fortifications*, paſſed in the Year of our Lord One thouſand ſeven hundred and three; and alſo one other Act, entituled, *An Act for granting an additional Revenue to his Majeſty, his Heirs and Succeſſors, for the better Support of the Government of this Iſland*, paſſed in *November*, One thouſand ſeven hundred and twenty four, and all and every the Clauſe and Clauſes in them or any of them contained, and ſuch Part of any other Act or Law of this Iſland as is inconſiſtent with the Words and Meaning of this Act, be, and are hereby repealed and annulled.

All former Acts inconſiſtent with this, repealed.

XXX. And

1728.

Laws made perpetual.

XXX. And be it further enacted by the Authority aforeſaid, That all the Acts and Laws of this Iſland which determined and expired on the firſt Day of *October*, in the Year of our Lord One thouſand ſeven hundred and twenty four, and not hereby, or by any former Act of the Governor, Council, and Aſſembly, now in Force, altered or repealed, ſhall be, and are hereby revived and declared to be perpetual.

Laws of *England* accepted as Laws of this Iſland, to continue ſo.

XXXI. And alſo all ſuch Laws and Statutes of *England* as have been at any Time eſteemed, introduced, uſed, accepted, or received as Laws in this Iſland, ſhall and are hereby declared to be and continue Laws of this his Majeſty's Iſland of *Jamaica*, for ever.

ESTIMATE *of the preſent Branches of his Majeſty's Revenue, and the ſeveral Heads of the preſent Expences chargeable on the ſaid Revenue.*

Charges on the Revenue.				*l.*	*s.*	*d.*
To the Captain General's Salary,				2500	00	0
To the Forts and Fortifications,				1250	00	0
To the Chief Juſtice's Salary,				120	00	0
To the Officers and Gunners of *Fort Charles*, viz.						
To the Captain, 6 *s. per Diem*,			109	10	0	
The Lieutenant, 4 *s.* 6 *d.*			82	02	6	
Twelve Montroſſes in actual Service, at 2 *s.* 6 *d. per Diem*, to be Inhabitants of *Port Royal*, and continually reſident there, and not to be inliſted in either of the independent Companies,			547	10	0	
The Armourer,			40	00	0	
For Water,			24	00	0	
				803	02	6
To the Captain of the Train in *Spaniſh Town*,				45	12	6
To the Auditor General, 150 *l. Sterling*, at 35 *per Cent.* Exch.				202	10	0
To Waiters Salary,				120	00	0
To ſeveral ordinary Charges, *viz.* Publick Buildings, Attorney General's Fees, Clerk of the Council, Provoſt-marſhal, Clerk of the Crown, Clerk of the Chancery, for iſſuing Writs of Election, Deputy Marſhal's for Priſoners, executing Writs of Election, Receiver General's Commiſſion, King's Evidence, and other ſmall Expences, computed at a Medium for Nine Years paſt, *per Annum*				2390	00	0
To contingent Charges *per Annum*				568	15	0
				8000	00	0

Branches of the Revenue.	Cr.		
By Impoſt, at a Medium of Nine Years laſt,	2966	02	1
By Quit-rents,	1460	14	3
By Fines, Forfeitures, and Eſcheats,	437	13	3
By Wine Licences,	200	00	0
By Gun-powder,	257	02	11
By a new Impoſt, including Indico at 3 *s. per* Pound, and Sugar at 3 *per* Hundred, at a moderate Computation,	3000	00	0
	8371	12	6

An

An Act for the better carrying on and ſecuring the new Settlements at Port Antonio *in the Pariſh of* Portland.

1728.

Act 87.

WHEREAS, the encouraging Numbers of Settlers, and the Security of them when ſettled, is of the greateſt Advantage and Publick Uſe as well as Strength to this Iſland in general: And whereas the Settlements already begun at *Port Antonio* cannot be carried on without a Guard of ſufficient Strength, to prevent the rebellious and runaway Negroes plundering and deſtroying the new Settlers, and alſo to deter the Enemy, in caſe of a War, from landing there, or attempting to take any Ships or Veſſels out of the Harbour, which may run in thither for Trade or Protection: And whereas the Act for the more effectual ſuppreſſing rebellious and runaway Slaves, and for encouraging Parties to be ſent out for that Purpoſe, as alſo for the better ſecuring the Settlements at *Plantain Garden River*, and other Out-parts of this Iſland, paſſed in *January*, One thouſand ſeven hundred and twenty five, is now expired, whereby the ſaid new Settlers at *Port Antonio* are left without a Guard, and, if not ſpeedily relieved and ſecured, muſt be obliged, to their great Damage, and to the great Detriment of the Publick, to deſert their new Settlements, and the ſaid Settlements become a Receptacle to the rebellious and runaway Slaves, and the Harbour there become uſeleſs and unſecure to the Ships and Veſſels of his Majeſty's Subjects, either for Trade or Protection: We your Majeſty's moſt dutiful and loyal Subjects, the Aſſembly of your Iſland of *Jamaica*, do moſt humbly beſeech your Majeſty, for the better carrying on and ſecuring of ſo uſeful and profitable a Settlement, that it may be enacted, and it is hereby enacted by your Majeſty's Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, That a Party or Guard, conſiſting of fifteen white Men and ten Negroe Shots, all accoutred with a good Gun, or Muſket, (and all to be of the ſame Culliver and Bore) Cutlaſh, and Cartouch-box, with a ſufficient Quantity of Powder and Ball, ready made into Cartridges, and five Baggage Negroes, ſhall be kept out and reſide at *Port Antonio* for the Space of one Year, from and after the paſſing of this Act; and that the ſaid Party ſo to be kept out, be provided with the ſaid Arms and Ammunition, if Freemen, at their own Expence, and if indented Servants, or Slaves, at the Expence of their Maſters, and to be ſupplied by his Majeſty's Receiver General for the Time being with Proviſions and other Neceſſaries during ſuch their Reſidence there, in Manner following; *to wit*, With three Barrels of Beef, and one Barrel of Flour, or Biſcuit, in Proportion for each white Man; and one Barrel of Beef or Herrings, for each Mulatto, *Indian*, or Negroe, to be kept at the Town of *Titchfield*, and to be diſtributed by the Captain or Commander of ſuch Party, in juſt and equal Proportions, weekly; and in Caſe of their being unprovided of Arms of the ſame Culliver and Bore as aforeſaid, the ſame to be provided for them by the Receiver General for the Time being, at the Expence of the Publick, and diſtributed to each Man reſpectively, if unprovided, by the Commanding Officer of the ſaid Party, and the Price thereof to be by the Receiver General deducted out of their reſpective Pay as the ſame ſhall become due.

A Guard to be kept at *Port Antonio* for the Space of one Year, &c.

II. And be it further enacted by the Authority aforeſaid, That the ſaid Party ſhall be commanded by an Officer to be appointed by the Governor, or Commander in Chief for the Time being, and two Serjeants, one of whom ſhall be obliged, with one Half of the ſaid Party, or all, if found neceſſary, once every Fortnight, or oftner, if the Service requires it, to range all the Woods and Lands adjacent to the ſaid Settlements, and to go in Purſuit of, and deſtroy all runaway and rebellious Negroes, which they may come up with, or have Intelligence of; and the other Serjeant, with the other Half of the ſaid Party, unleſs on any Emergency or ſudden Attempt of the rebellious Negroes, ſhall be obliged to keep a conſtant Guard, or Watch, at the Town of *Titchfield*, on the Harbour, or at ſuch Place as may be found moſt convenient, for the Security of the ſaid Settlements.

who are to range the Woods, &c. once a Fortnight, if neceſſary.

III. And be it further enacted by the Authority aforeſaid, That the ſaid Officer who ſhall command the ſaid Party, ſhall have and receive Ten Pounds *per* Month as his Pay; each of the ſaid Serjeants, Six Pounds *per* Month as his Pay;

Their Pay.

1722. each of the ſaid white Men, Three Pounds *per* Month for his Pay; each of the ſaid Negroe Shots, Twenty Shillings *per Month* for his Pay; and each of the ſaid Baggage Negroes, Twenty Shillings *per* Month for his Pay, during his and their actual Reſidence and being in Service only, and not otherwiſe; but if indented Servants and Slaves, the ſame to be paid to their reſpective Maſters.

Surgeon's Pay.

IV. And for the further Encouragement of the ſaid Party, be it further enacted by the Authority aforeſaid, That a Surgeon ſhall be provided for taking Care of the ſaid Party, and any other that may come into that Pariſh, who ſhall be allowed during his actual Reſidence there, and not otherwiſe, Five Pounds *per* Month as his Pay.

Officer, &c. to have the Benefit of the Act paſſed in *Jan.* 1725.

V. And that all and every the Officer, Serjeants and Men, as well Whites as Negroes, ſhall, over and above their Pay aforeſaid, be entitled to receive the ſame Rewards, Immunities, and Privileges given and allowed in and by the ſaid Act, entituled, *An Act for the more effectual ſuppreſſing rebellious and runaway Slaves, and for encouraging Parties to be ſent out for that Purpoſe; as alſo for the better ſecuring the Settlements at* Plantain Garden River, *and other Out-parts of this Iſland*, paſſed in *January*, One thouſand ſeven hundred and twenty five, and be alſo ſubject and liable to the ſame Diſcipline, Orders, Rules, Penalties and Forfeitures enacted and expreſſed in the ſaid recited Act; and be alſo obliged, upon Orders from the Governor, or Commander in Chief for the Time being, to join and march with any Party or Parties, and under ſuch Commanders, and on ſuch Service as ſhall be found neceſſary.

Officer, &c. may be diſcharged by Order of Governor, &c.

VI. And be it further enacted by the Authority aforeſaid, That the ſaid Officer, Serjeants, and private Men of this Guard or Party, ſhall be removed, changed, or diſcharged on ſuch Occaſion or Cauſe as to the Governor, or Commander in Chief ſhall ſeem fitting and reaſonable; and that they ſhall be paid their Pay by the Receiver General out of the Surpluſage of any Fund or Funds unappropriated, or appropriated to the Uſe of Parties.

Receiver General to pay to them or their Order, their Rewards and Pay, &c.

VII. And in order to prevent any Perſons being defrauded of their Pay, or Rewards, or any their Officers making unjuſt Gains of the Neceſſities or Wants of ſuch Perſons ſent out in the ſaid Party, be it enacted by the Authority aforeſaid, That the Receiver General for the Time being ſhall be, and he is hereby obliged and required to pay to them, or to their Order, ſuch Rewards or Pay as they ſhall become entitled to, in Money, or to themſelves, to their perſonal Satisfaction, and not to their Officer; nor ſhall any ſuch Officer, Serjeant, or private Man, or any in Truſt for them, preſume to retail out Goods, Proviſions, or Liquors there to any of the ſaid Party, or to any other Perſon for their Uſe, under the Penalty of One hundred Pounds for each Time he ſhall ſo offend; the one Half to the Perſon informing and proving the ſame, to the Satisfaction of the Governor, or Commander in Chief for the Time being; and the other Half to the Uſe and towards the Pay of the ſaid Party.

VIII. And whereas by an Act, entituled, *An Act for encouraging white People to come over and become Settlers in this Iſland, and for the more eaſy and ſpeedy ſettling the North-eaſt Part thereof*, the *Cuſtos* of the Pariſh of St. *George*, the *Cuſtos* of the Pariſh of St. *Thomas in the Eaſt*, both for the Time being, *Richard Bathurſt*, *Jaſper Aſhworth*, *Robert Hamilton*, *James Paſsley*, *John Le Gay*, and Dr. *James Wilſden*, were appointed Commiſſioners for aſſigning and allotting Lands to be granted to every Perſon within the Thirty thouſand Acres thereby veſted in his Majeſty; ſome of whom are ſince dead, and others live ſo remote and diſtant, as renders it very troubleſome and difficult to get the ſaid Lands ſo granted, allotted, and aſſigned; be it therefore enacted by the Authority aforeſaid, That *John Stewart*, *John Brookes*, and *Samuel Orgill*, Eſquires, and *Alexander Brookes*, be added to the ſaid Number of Commiſſioners; and that the ſaid Commiſſioners, or any Three of them, ſhall be, and are hereby impowered to act in all Things in as full and ample Manner, and ſubject to the ſame Penalties, as if they had been named and appointed in and by the ſaid laſt mentioned recited Act: And in order to keep up the Number of the ſaid Commiſſioners for the future, it ſhall and may be lawful for the Governor and Commander in Chief for the Time being, to nominate and appoint ſuch Perſon or Perſons to be Commiſſioners as he ſhall ſee fit, upon the Death, or other Incapacity, of any of the ſaid

New Commiſſioners added, for executing the herein recited Act,

and Governor may appoint others in the Room of any dying, &c.

ſaid Perſons already appointed by this or the ſaid Act; and ſhall be impowered, after ſuch Nomination and Appointment of the Governor or Commander in Chief for the Time being, to act in as full and ample Manner in all Things, and ſubject to the ſame Penalties, as if they had been named and appointed in this or the ſaid recited Act. 1728.

IX. And as a further Encouragement to new Settlers, be it further enacted by the Authority aforeſaid, That the ſaid Party, or ſuch Part thereof as ſhall not be ranging in the Woods after the rebellious Negroes, ſhall, as Opportunity offers, be employed in the making a Plantain Walk, and planting *Indian* Proviſions for the Reception of ſuch new Settlers and Party-men in that Part of the Land allotted for a Common, under the Penalty of Fifty Pounds; to be recovered from the Captain or Commander of the ſaid Party in the Supreme Court of Judicature of this Iſland, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoin, Protection or Wager of Law ſhall be allowed; one Half of which Penalty or Forfeiture ſhall be to the Informer, or him or them who ſhall ſue for the ſame, and the other Half to the Uſe of Parties; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding. How the Party is to be employed, when they are not ranging the Woods.

An Act for the ſtrengthening and ſecuring this Iſland againſt any Attempts to be made by foreign Enemies.

Act 88.

WHEREAS this Iſland, by its commodious Situation for Trade, its many good Harbours and Bays, amongſt potent and populous Neighbours, is in great Danger of being invaded, in caſe of any Rupture between *Great Britain* and *France*, or *Spain*; for the ſecuring therefore of this Iſland from any Attempts or Inſults in caſe of a War, we your Majeſty's moſt dutiful and loyal Subjects the Aſſembly of this your Iſland of *Jamaica*, moſt humbly beſeech your Majeſty that it may be enacted; be it therefore enacted and ordained by the Governor, Council, and Aſſembly of this your Majeſty's Iſland, and it is hereby enacted and ordained by the Authority of the ſame, That from and after the firſt *Tueſday* in *May* next enſuing, the Juſtices and Veſtry in each reſpective Pariſh of this Iſland, binding on the Sea-coaſts, are hereby required, impowered, and obliged to meet at the uſual Places of Meeting in each reſpective Pariſh, upon Twenty Days Notice given them in Writing from the Governor or Commander in Chief for the Time being, and to aſſeſs, raiſe, and levy ſuch Tax or Taxes either in Money, or Labour of white Servants and Negroes, or in both, for the raiſing, erecting, and building ſuch Fortifications, Breaſt-works, Block-houſes, Guard-houſes, or other Defences, at ſuch Places, and at ſuch Expence and Charge as ſhall by them be thought neceſſary, proper, and convenient, for their Security and Defence, to be approved of by the Governor or Commander in Chief for the Time being, or by any other Perſon or Perſons by him for that Purpoſe appointed. Juſtices, &c. of every Pariſh may levy a Tax for erecting Fortifications, &c.

II. And after ſuch Place, Fort, Breaſt-work, or Block-houſe is appointed and agreed on, and the Tax laid by the ſaid Juſtices and Veſtries reſpectively, the ſaid reſpective Pariſhes ſhall immediately proceed in ſuch Manner, and according to the Direction and Orders of the Governor or Commander in Chief for the Time being, or ſuch Perſon or Perſons by him appointed to erect and build ſuch Fortifications and Defences; which ſaid Tax is to be raiſed, aſſeſſed, and levied in Proportion to the Number of Slaves and Cattle which each Inhabitant ſhall have in the reſpective Pariſhes, and to be laid and raiſed in the ſame Manner, and ſubject to the ſame Penalties and Forfeitures as in and by an Act, entituled, *An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of white People, or pay certain Sums of Money in caſe they ſhall be deficient, and applying the ſame to ſeveral Uſes; and for repairing the Wall of* Port Royal, paſſed this preſent Seſſions of Aſſembly, is more particularly expreſſed and mentioned, as fully and amply as if the ſame were herein expreſſed, enacted, and mentioned. How the Tax is to be raiſed and levied.

III. And the ſaid Juſtices and Veſtry are hereby impowered, in laying and raiſing ſuch Tax, to apportion the Value of every neceſſary Tradeſman's Labour, and Tradeſmen's Labour to be valued.

1728. and to make ſuch Allowance to the Perſons furniſhing the ſaid neceſſary Tradeſmen, as ſhall to them ſeem juſt and reaſonable.

Materials may be taken out of any Perſon's Ground, making reaſonable Satisfaction for the ſame.

IV. And for the more expeditious erecting of the ſaid Forts or Defences, and providing the neceſſary Materials for that Purpoſe, be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Perſons employed in that Service, to burn Lime, gather Stones, and burn Bricks, and cut Wood for that Purpoſe, in any Perſon's Land not planted in this Iſland, as may be moſt convenient and proper for the publick Service, and alſo to cut Timber uſeful and neceſſary for the ſaid Service (Cedar or Mahogony excepted) allowing the Owner or Proprietor of the Land wherein the ſaid Timber is cut, any Sum not exceeding Seven-Pence Halfpenny *per* Foot for every ſolid Foot which they ſhall ſo cut or carry off.

Juſtices, &c. may raiſe a Number of Forces to defend the Fortifications.

V. And to the Intent that ſuch Fortifications and Places of Defence may not be left without a ſufficient Strength to guard and maintain the ſame, be it further enacted, That the ſaid Juſtices and Veſtry in each reſpective Pariſh ſhall, and they are hereby impowered and required to raiſe a Number of white Men and Negroes, ſuch as they ſhall think neceſſary and proper, properly armed, accoutered, and provided with Ammunition and Proviſions from the ſeveral Settlements and Plantations in the ſaid reſpective Pariſhes, to be conſtantly reſident in ſuch Fortifications and Places, in caſe of a War, during ſuch Time, and under the Command of ſuch Officer or Perſon as the Governor or Commander in Chief for the Time being ſhall think fit to order and appoint.

How they are to be armed, clothed, and furniſhed with Proviſions.

VI. And that the ſaid Men ſo raiſed may be properly armed, and the Ammunition provided be the more uſeful, and for Prevention of the Confuſion which may be occaſioned by the ill training of ſuch Men, and the different Sizes of their Arms, and their not being provided with proper Lodging and other Neceſſaries, be it further enacted by the Authority aforeſaid, That each white Man or Negro ſo raiſed and fitted out, ſhall be armed with a good Gun, Bayonet, and Cutlaſh, or Muſket, and a Cartouch-box, filled with twelve Cartridges at leaſt, ready made up, with a proportionable Quantity of ſpare Powder and Ball; if Freemen, at their own Charge; if indented Servants or Slaves, at the Charge of their reſpective Maſters: All which ſaid Guns ſhall be of the ſame Culliver and Bore of the Muſkets uſually made uſe of in his Majeſty's Ordnance; and that the ſame be provided within the Space of Nine Months from and after the paſſing of this Act; and that all the ſaid Perſons raiſed throughout the ſaid Iſland, ſhall be trained up and exerciſed in one and the ſame Manner, as ſhall by the Governor or Commander in Chief be preſcribed and directed; and ſhall alſo have proper Huts or Houſes erected in the ſaid Places of Defence for their Security from the Weather, and be clothed in Cloaths of the ſame Colour, and provided with a ſufficient Quantity of Victuals and Drink by their reſpectives Maſters, and delivered to them at their ſaid Quarters; each Perſon to be allowed at the leaſt Ten Pounds of Beef and Flower, or *Indian* Proviſions proportionable *per* Week, and a good Blanket and Plantain Bed, or Mattreſs, for their Bedding.

Two *Indians* to ſerve inſtead of one white Man, &c.

VII. And for the making the free Negroes, Mulattoes, and *Indians* more uſeful, be it further enacted by the Authority aforeſaid, That it ſhall be lawful for any Perſon ſo taxed, or for the ſaid Negroes, *Indians*, or Mulattoes themſelves, to hire ſuch *Indians*, Negroes, or Mulattoes out at the Half of the Rate given and allowed for one white Man, and that Two of them, if ſo fitted out and hired, ſhall ſerve as a Deficiency, and paſs in Stead and Lieu of one white Man; and that all thoſe white Men ſo raiſed and fitted out, paſs as Deficiencies in the ſeveral Plantations to which they belong.

Penalty on Officers neglecting the Duty herein preſcribed them.

VIII. And for the more effectual putting this Act, and the ſeveral Matters and Things therein contained in Execution, be it further enacted by the Authority aforeſaid, That each Juſtice of the Peace, who ſhall neglect or refuſe to do his Duty therein, ſhall forfeit the Sum of One hundred Pounds; each Veſtryman refuſing or neglecting his Duty therein, Eighty Pounds; and every private Man, Fifty Pounds, for every Neglect or Refuſal: All which ſaid Penalties and Forfeitures ſhall be recovered by Action of Debt, Bill, Plaint, or Information in the Supreme Court of Judicature of this Iſland, wherein no Eſſoin, Protection, Im-

parlance, Wager of Law, or Injunction ſhall be allowed; one Half of which ſaid Penalties and Forfeitures ſhall be to the Uſe of the ſaid Fortifications, and the other Half to the Informer, or him or them who ſhall ſue or proſecute for the ſame. 1728.

IX. And be it further enacted by the Authority aforeſaid, That the Secretary of this Iſland do, within thirty Days after the paſſing of this Act, make out a Copy thereof for each of the reſpective Pariſhes of this Iſland, and cauſe the ſame to be delivered to the reſpective *Cuſtos's* or chief Magiſtrates of the ſeveral Pariſhes of this Iſland, under the Penalty of Ten Pounds for each Copy not ſo made out and delivered; and for each of which Copies he ſhall have and receive from the Receiver-General the Sum of Twenty Shillings, and no more; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Secretary to deliver a Copy of this Act to every Pariſh in the Iſland.

An Act for veſting Twenty Acres of Land in Lynch's *Iſland in the Crown.* 1730.

Act 89.

WHEREAS, by an Act of your Majeſty's Governor, Council, and Aſſembly of this your Iſland, entituled, *An Act for ſettling the North-eaſt Part of the Iſland*; paſſed in the Year of our Lord One thouſand ſeven hundred and twenty-two, it was (amongſt other things) enacted, That Twenty Acres at the leaſt of *Ruther*'s or *Lynch*'s Iſland ſhould be veſted in the Crown, to the Uſes, Intents, and Purpoſes in the ſaid Act mentioned: And whereas, ſince the paſſing of the ſaid Act, your Majeſty has been graciouſly pleaſed, in order to promote and ſecure the Settlement intended by the ſaid Act, to purchaſe the Remainder of the ſaid *Ruther*'s or *Lynch*'s Iſland: And it is found neceſſary to appropriate the ſaid Twenty Acres, for the Conveniency of building Store-houſes and Wharfs for your Majeſty's naval Stores, and careening your Majeſty's Ships of War, the Protection of which will greatly ſecure and promote the Settlement of the adjoining Part of this Iſland; we therefore moſt humbly pray your Majeſty that it may be enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted and ordained by the Authority of the ſame, That the ſaid Twenty Acres, Part of *Ruther*'s or *Lynch*'s Iſland, veſted in the Crown by the ſaid in Part recited Act for the ſettling the North-eaſt Part of the Iſland, to and for the Uſes and Purpoſes in the ſaid Act, ſhall be, and the ſaid Twenty Acres are hereby enacted and declared to be veſted in your Majeſty's, your Heirs and Succeſſors, for ever, abſolutely, and without any Limitation, to be diſpoſed of by your Majeſty, your Heirs and Succeſſors, to ſuch Uſes as your Majeſty, your Heirs and Succeſſors, ſhall think proper; any thing in the ſaid recited Act, or in any other Act or Law to the contrary thereof in any wiſe notwithſtanding.

20 Acres of Land in *Lynch*'s Iſland veſted in the Crown.

An Act for the better amending the Highways.

Act 90.

WHEREAS the Act for the Highways, formerly made, has been found defective and inſufficient; for the better amending therefore of the common Highways, and for laying out new, and turning old ones where it ſhall be needful, we, your Majeſty's moſt dutiful and loyal Subjects, the Aſſembly of this your Iſland of *Jamaica*, humbly beſeech your Majeſty that it may be enacted; be it therefore enacted by the Governor, Council, and Aſſembly of this your Iſland of *Jamaica*, and it is hereby enacted by the Authority of the ſame, That wherever a new Road is, or ſhall hereafter be laid out, purſuant to the Direction of an Act of this Iſland, entituled, *An Act for the Highways*, the ſame ſhall be recorded at the next general Quarter-ſeſſions of the Peace in the Precinct where ſuch Road is: Provided, That if any Road confirmed by this Act ſhall be found inconvenient, it ſhall and may be lawful for any Perſon injured thereby, to get a Jury to turn the ſame, purſuant to the Direction of the ſaid Act, entituled,

All new Roads laid out to be recorded.

1730. *An Act for the Highways*; and that no Perſon whatſoever do obſtruct, hinder, or prevent any Jury from going to, and laying out ſuch a Road, purſuant to the Direction of the ſaid laſt Highway Act, under the Penalty of One hundred Pounds.

Perſons exempted from being choſen Surveyors of the Highways.

II. And be it further enacted by the Authority aforeſaid, That no Perſon whatſoever, reſident in any Pariſh of this Iſland, ſhall be free or exempted from being choſen a Way-warden or Surveyor of the Highways for the ſaid Pariſh, provided he be not compelled or obliged to ſerve above once in three Years; provided alſo, that he be not one of the Council, nor Chief Juſtice, nor has been of the Council or Chief Juſtice, nor any Member of the Aſſembly for the Time being, nor Aſſiſtant Judge of the Grand Court, nor *Cuſtos*, nor any Officer executing any of the Patent Office, of this Iſland, who ſhall not be choſen without their Conſents firſt had and obtained; and that every Perſon ſo choſen a Surveyor or Way-warden, ſhall, within twenty Days after Notice to him given, purſuant to the Direction of the ſaid Act for the Highways, get himſelf ſworn before ſome Juſtice of the Peace in the ſaid Pariſh, under the Penalty of forfeiting Fifty Pounds, over and above the Penalties inflicted and preſcribed in the ſaid Act: And that every Clerk of the Veſtry, or Clerk of the Peace, refuſing or neglecting to give ſuch Surveyor or Way-warden Notice in Writing, either perſonally, or to be left at the Dwelling-houſe of ſuch Perſon within five Days after ſuch their Election, he ſhall forfeit the Sum of Twenty Pounds, over and above the Penalties in the ſaid Act for the Highways: And every Juſtice, who ſhall, on Application, refuſe to ſwear in ſuch Way-warden or Surveyor, ſhall forfeit the like Sum of Twenty Pounds.

Surveyors to be ſworn.

Neglecting to mend the Road allotted them, to forfeit 100 *l.*

III. And be it further enacted by the Authority aforeſaid, That every Surveyor or Way-warden who ſhall neglect to amend and repair the Road allotted him, or for which he was choſen, for the Space of one Month after ſuch his being ſworn and qualified, ſhall, upon the View of the ſaid Road by any Two Juſtices of the Peace in the ſaid Pariſh or Precinct, forfeit the Sum of One hundred Pounds; which ſaid Sum the ſaid Two Juſtices, or any other Two Juſtices of the ſaid Precinct, are impowered to levy and aſſeſs, as hereafter mentioned.

Penalty on Perſons refuſing to ſend their Proportion of Negroes, &c.

IV. And be it further enacted by the Authority aforeſaid, That upon the Surveyor's iſſuing his Warrant or Warrants to the Conſtables, purſuant to the ſaid Act for the Highways, every Perſon who ſhall fail, neglect, or refuſe to ſend the Number of Negroes, Tools, or other Inſtruments allotted him by the Juſtices and Veſtry, or the reſpective Surveyors, in caſe no Allotment be made by the Juſtices and Veſtry, according to the ſeveral Acts for the Highways, ſhall forfeit for every Negro ſo deficient or wanting, or not ſent, the Sum of Three Shillings *per Diem*, during the Time the Surveyor ſhall be employed in amending the ſaid Roads.

Surveyors to inform ſome Juſtice, upon Oath, of the Number of Negroes, &c. wanting, and the Perſons neglecting;

who is to iſſue his Warrant to levy the Penalty by Diſtreſs, &c.

V. And that it may be the better known who ſhall prove deficient, or neglect ſending the Proportion of Negroes, or Tools allotted them, be it enacted by the Authority aforeſaid, That the ſaid Surveyors reſpectively ſhall, and they are hereby obliged, under the Penalty of Fifty Pounds, immediately on their having finiſhed the Repairing or Amendment of the Road allotted them, to repair to ſome Juſtice of the Peace in the ſaid Pariſh, and upon Oath (which Oath the ſaid Juſtice is hereby required and impowered to adminiſter) inform the ſaid Juſtice of the Number of Negroes or Tools ſo wanting, or not ſent, and the Perſon ſo neglecting or refuſing to ſend them; which ſaid Juſtice is hereby impowered and required, under the Penalty of One hundred Pounds for every Neglect or Refuſal, forthwith to iſſue his Warrant or Warrants to the reſpective Conſtable or Conſtables, commanding them to levy the ſaid Three Shillings *per Diem* of ſuch Perſon ſo offending and neglecting, notwithſtanding the ſaid Sum do exceed Forty Shillings, by Diſtreſs and Sale of the Negroes, Cattle, Mules, and Goods of the Perſon ſo offending, neglecting, or refuſing, for the Uſe of the Highways.

Proviſo.

VI. Provided alſo, That if the Juſtices and Veſtry of any Pariſh ſhall refuſe or neglect to allot a reaſonable Proportion of Hands for the amending and repairing of every Road ſo laid out as aforeſaid in their reſpective Pariſhes, any Perſon injured thereby may have his Action for Damages in any Court of Record in this Iſland againſt the ſaid Juſtices and Veſtry, or any of them.

1730.

VII. And be it further enacted by the Authority aforeſaid, That all Penalties or Forfeitures herein before mentioned, or in the ſaid Act, entituled, *An Act for the Highways*, and not mentioned and expreſſed herein before, how, or where to be recovered, ſhall be recovered, adjudged, and impoſed by any Two Juſtices in the ſaid Pariſh or Precinct, and be levied and collected by Warrant under the Hands and Seals of Two Juſtices of the ſaid reſpective Pariſhes or Precincts, by Diſtreſs, and Sale of ſuch Diſtreſs, to the Uſe, and for the Repair of the Highways; any thing in this, or any other Act to the contrary notwithſtanding.

Penalties how to be recovered.

VIII. And be it further enacted by the Authority aforeſaid, That the ſeveral Roads cut, made, or cleared, during the late Marſhal Law in this Iſland, from *Pedro*'s, in the Pariſh of *Clarendon*, to St. *Ann*'s *Bay*, and from the *Cave*, in the Pariſh of *Weſtmoreland*, to *Montego Bay*, in the Pariſh of St. *James*, ſhall for ever hereafter be deemed, and are hereby declared to be Publick Roads, or King's Highways, and be opened, repaired, and cleared, according to the Dimenſions preſcribed in the ſaid Act, entituled, *An Act for the Highways*, by the reſpective Pariſhes, to the Extent of their ſeveral and reſpective Bounds, and ſhall be ſubject and liable to all ſuch other Regulations as other King's Highways and Publick Roads are by the ſaid Act for the Highways, or this Act; any thing in this, or any other Act contained to the contrary notwithſtanding.

Publick Roads

IX. And be it further enacted by the Authority aforeſaid, That the Secretary of this Iſland do, within Twenty Days after the paſſing of this Act, ſend Copies thereof to the ſeveral *Cuſtos's* of this Iſland; for each of which Copies he ſhall have and receive from the Receiver-General the Sum of Ten Shillings, and no more.

Secretary to ſend Copies of this Act to the *Cuſtos's*.

An Act for the preſerving the Harbours of Port Antonio, *in the Pariſh of* Portland.

Act 91.

WHEREAS the ſinking of the Wrecks of Ships, Sloops, and Boats, and flinging overboard of Ballaſt, Dirt, or Sullage, may in Time be of great Detriment and utter Ruin of the Eaſtern and Weſtern Harbours of *Port Antonio:* For Prevention whereof, we your Majeſty's moſt dutiful and loyal Subjects, the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, humbly beſeech your Majeſty that it may be enacted, and it is hereby enacted by the Authority of the ſame, That from and after the firſt Day of *December* next, no Perſon whatſoever preſume to ſink in the ſaid Harbours any Wreck or Wrecks of any Ships, Sloops, or Boats, or to throw overboard any Ballaſt, Dirt, or Sullage into any Part either of the Eaſtern or Weſtern Harbours of *Port Antonio*, or into the Channel leading into either of the ſaid Harbours, under the Penalty of forfeiting Ten Pounds, current Money of this Iſland.

Penalty on Perſons ſinking any Wrecks, &c. in the Harbours,

II. And whereas the Reef of Rocks and Stones that runs from the Weſt Part of *Navy* or *Lynch*'s Iſland to the Main, is of great Security to the ſaid Harbours of *Port Antonio*, be it therefore enacted by the Authority aforeſaid, That from and after the firſt Day of *December* next, no Perſon whatſoever do preſume to move off or carry away from the ſaid Reef of Rocks, any Rocks or Stones, under the Penalty of forfeiting the like Sum of Ten Pounds: All which Forfeitures and Penalties ſhall be recovered in a ſummary Manner before any Two of his Majeſty's Juſtices of the Peace for the ſaid Pariſh of *Portland*, or of the adjacent Pariſhes of St. *George* and St. *Mary*; who are hereby required and impowered, upon any Information being made to them by the Commander in Chief of his Majeſty's Ships of War, or by any other Officer belonging to his Majeſty's Navy, or by any other Perſon whatſoever, to hear and determine the ſame upon the Oath of any one or more credible Witneſſes of the Offence aforeſaid; and upon any Perſon or Perſons being convicted thereof upon Oath, as aforeſaid, they the ſaid Juſtices ſhall commit the Party ſo offending to the next Gaol, where he or they ſhall remain until he or they have paid the ſaid Sum of Ten Pounds, without Bail or Mainprize.

or carrying away from the Reef of Rocks any Stones, &c.

III. And

1730. III. And if any Juſtice, upon Information or Application being made to him, as aforeſaid, ſhall omit or refuſe to do his Duty therein, the Juſtice ſo offending ſhall forfeit the Sum of Fifty Pounds; to be recovered in his Majeſty's Supreme Court of Judicature of this Iſland, by Action of Debt, Bill, Plaint, or Information: One Half of all ſuch Forfeitures mentioned in this Act, is hereby declared to be to the Informer, or to him or them who ſhall ſue for the ſame; and the other Half for and towards the Uſe of his Majeſty's Fortifications at *Port Antonio*; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Penalty on Juſtice omitting his Duty.

An Act for repealing an Act to prevent Dangers that may ariſe from diſguiſed as well as declared Papiſts.

Act 92. WHEREAS it hath been found by Experience that an Act, entituled, *An Act to prevent Dangers that may ariſe from diſguiſed as well as declared Papiſts*, paſſed in the Month of *Auguſt*, in the Year of our Lord One thouſand ſeven hundred and twenty-nine, hath not anſwered the Purpoſes for which it was intended; but on the contrary, already hath, and may further ſerve to diſcourage Proteſtants well affected to his Majeſty's Government, from coming over to ſettle in this Iſland; which, as the Number of white Inhabitants are few, may be of very bad Conſequence to the Welfare and Safety thereof, if continued: For Prevention of which, we your Majeſty's moſt dutiful and loyal Subjects, the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, humbly beſeech your Majeſty that it may be enacted; and it is enacted by the Governor, Council, and Aſſembly, and by the Authority of the ſame, That the aforeſaid Act, paſſed in the Month of *Auguſt*, in the ſaid Year of our Lord One thouſand ſeven hundred and twenty-nine, ſhall be, and is hereby repealed and made void to all Intents and Purpoſes.

Repeal of a former Act.

An Act to prevent the ſelling of Powder to rebellious, or any other Negroes whatſoever.

Act 93. WHEREAS it may reaſonably be conjectured, that the great Number of Places where Powder is at preſent vended in all Parts of this Iſland, contributes very much to the ſupplying of rebellious Negroes therewith, which tends to the increaſing their Numbers, being a Means not only of ſupplying themſelves with Proviſions, but likewiſe of robbing and plundering the remote Parts of the Iſland, to the great Diſcouragement of new Settlements: We therefore, your Majeſty's moſt dutiful and loyal Subjects, the Governor, Council, and Aſſembly of *Jamaica*, do moſt humbly beſeech your Majeſty that it may be enacted; and be it enacted by the Governor, Council, and Aſſembly of this Iſland, and by the Authority of the ſame, That no Perſon whatſoever within this Iſland ſhall, after the Twentieth Day of *February* next, ſell, or otherwiſe diſpoſe of by Retail, in any Quantity leſs than Fifty Pounds Weight, any Sort of Gunpowder, to any Perſon whatſoever within this Iſland, before ſuch Perſon ſhall firſt have obtained a Licence from under the Hand and Seal of the Governor, or Commander in Chief for the Time being; which Licence is not to be granted but upon a Certificate from the Juſtices and Veſtry of the Pariſh where ſuch Perſon reſides, that he is duly qualified, and fit to be truſted with the Sale of ſuch Powder; which Certificate ſhall be recorded in the Secretary's Office before ſuch Licence ſhall be granted.

Gunpowder not to be ſold in leſs Quantity than 50*lb.* Weight, to any Perſon, without Licence from the Governor, *&c.*

II. And ſuch Perſon or Perſons obtaining ſuch Licence or Licences, as aforeſaid, ſhall be obliged, before he or they ſhall vend, ſell, or diſpoſe of any Powder, to take the following Oath before the Governor, or Commander in Chief for the Time being, or before the *Cuſtos* of the Precinct where he or they reſide, *viz.*

Oath to be taken by Perſon before Licence is granted him;

I A. B. *do ſwear, That I will not vend, ſell, or diſpoſe of, or ſuffer any Perſon or Perſons in my Service or Employ, or under my Command, to vend, ſell, or diſpoſe*

1730.

diſpoſe of any Gunpowder to any white Perſon or Perſons not knowing them to be Houſe-keepers, unleſs ſuch Perſon or Perſons ſhall have a Certificate from ſome Juſtice of the Peace of the Precinct where he or they ſhall reſide, or commiſſioned Officer of the Company or Troop of Militia to which he or they belong, that they are Perſons proper to be intruſted with the ſame; and that I will not vend, ſell, diſpoſe of, or deliver, or ſuffer to be vended, ſold, diſpoſed of, or delivered to any free Mulatto, Negro, or Indian, *any Powder without a Certificate from the Captain of the Company in the Precinct to which he belongs; and that I will not vend, ſell, or diſpoſe of, or deliver, or ſuffer to be vended, ſold, diſpoſed of, or delivered, any Powder to any Mulatto, Negro, or* Indian *Slave, upon any Pretence whatſoever.*

So help me God.

and give 200*l.* Security for due Performance of his Truſt.

III. And that no Perſon ſhall have a Licence granted unto him or them for the Sale of Powder, as aforeſaid, without firſt becoming bound to our Sovereign Lord the King in a Bond, with ſufficient Surety or Sureties in the Secretary's Office of this Iſland, in the Sum of Five hundred Pounds, for the due Performance of the ſaid Truſt, agreeable to the ſaid Oath.

But one Perſon to be licenſed to ſell Gunpowder in each of the 3 Towns, and pay 5*l. per* Licence.

IV. And that there ſhall not be Licences granted to more than one Perſon in each of the three Towns of St. *Jago de la Vega*, *Port Royal*, and *Kingston*, where Powder ſhall be ſold by Retail, as aforeſaid, only; and for each of which Licences the Perſon or Perſons to whom they are granted ſhall pay the Sum of Five Pounds, current Money of this Iſland, *per Annum*; and the ſaid reſpective Sums of Five Pounds ſhall be, and are hereby appointed to the Uſe of Parties; and ſuch Perſon and Perſons ſhall alſo pay Fifteen Shillings to the Secretary for taking the ſaid Bond, recording the Certificate, and paſſing the Licence, and no more.

Unlicenſed Perſons ſelling Gunpowder in leſs Quantity than 50 *lb.* Weight, forfeit 500*l.*

V. And that no Perſon or Perſons whatſoever, not having a Licence, as aforeſaid, ſhall vend, ſell, diſpoſe of, or deliver any Gunpowder by Retail in any Quantity leſs than Fifty Pounds Weight, under the Penalty of Five hundred Pounds, and ſix Months Impriſonment without Bail or Mainprize; which Forfeiture and Penalty ſhall be heard, adjudged, recovered, and determined by the Judges of his Majeſty's Supreme Court of Judicature of this Iſland; and that the Evidence of any one white Perſon ſhall be ſufficient to convict ſuch Offender or Offenders, if againſt a white Perſon, and if againſt a Mulatto, *Indian*, or Negro Slave, the Evidence of any one Mulatto, *Indian*, or Negro ſhall be ſufficient to convict him, her, or them; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Licenſed Perſons to keep all their Powder but two Barrels, in the Magazines,

which the Captains are obliged to receive and deliver out.

VI. And the Perſon ſo licenſed to ſell Powder and Ammunition in any of the Three Towns, ſhall, in order to prevent any Dangers that may happen, be obliged to put and keep all his Powder, excepting the Quantity of Two Barrels at a Time, in the Magazines.

VII. And the Captain of the Fort, and all others that have the Cuſtody of the ſaid Magazines, or any of them, are hereby obliged and required to receive and keep the ſaid Powder, and deliver out the ſame as Occaſion ſhall require, under the Penalty of One hundred Pounds; for which he ſhall have and receive from the Owner at and after the Rate of Two Shillings and Six-Pence *per* Barrel.

The beſt Piſtol Powder not to be ſold for more than 1*s.* and 10*d.* Halfpenny *per lb.*

VIII. And to prevent ſuch Perſons to whom ſuch Licences ſhall be granted, as aforeſaid, from extorting or demanding a larger Price than what is common and uſual for Gunpowder, be it enacted by the Authority aforeſaid, That they ſhall not demand or receive above One Shilling and Ten-Pence Halfpenny *per* Pound for the beſt Piſtol Powder in each of the Three Towns aforeſaid, under the Penalty of Forty Shillings for every ſuch Offence; to be recovered upon the Oath of any one white Perſon, before any of his Majeſty's Juſtices of the Pariſh where ſuch Offence ſhall be committed; one Half whereof ſhall be to the Informer, and the other Half paid to the Receiver-General, to be by him applied for the Uſe of Parties; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

1731. *An Act for rendering the Bath, in the Pariſh of St.* Thomas in the Eaſt, *more ſerviceable.*

Act 94. WHEREAS the Laws heretofore made for rendering the Bath, in the Pariſh of St. *Thomas in the Eaſt*, beneficial and advantageous to the ſick and infirm Inhabitants of this Iſland, for want of due Execution of the ſaid Laws, notwithſtanding the great Expence it hath been to the Iſland, hath not hitherto anſwered the Purpoſes intended, to the great Prejudice of the ſick and infirm Inhabitants: And in regard the Purpoſes intended by the Act, entituled, *An Act to make ſundry Perſons a Body Politick, and Directors for the Bath of St.* Thomas *the Apoſtle*, or the Purpoſes intended by the ſaid Directors, Grantors, and Leſſors of the Bath Lands, Negroes, and Mules, are not proſecuted or complied with by the Grantees or Leſſees thereof, but the Mules and Negroes belonging thereto are ſolely employed in bringing the ſaid Bath Water to Market for Sale, and private Uſes; and that there is no Houſe nor proper Conveniencies provided by ſuch Leſſees on the Bath Lands for the Accommodation and neceſſary Entertainment of ſick Perſons there: In order therefore to remedy ſuch Evils, and for the Advancement and Furtherance of ſo univerſal a Good, we your Majeſty's moſt dutiful and loyal Subjects, the Governor, Council, and Aſſembly of this your Iſland of *Jamaica*, humbly beſeech your Majeſty that it may be enacted; and be it enacted by the Governor, Council, and Aſſembly, and it is hereby enacted by the Authority of the ſame, That all Leaſes or Grants of the Spring or Springs called the *Bath*, and the Land thereto belonging, or of any Part thereof, and of all Negroes, Mules, and other Neceſſaries to the ſame belonging, or in any wiſe appertaining, ſhall from henceforth ceaſe, determine, and be utterly void, to all Intents and Purpoſes whatſoever.

All Leaſes, &c. of the Bath, &c. void.

II. And for the Advancement of ſo good and charitable a Work, be it enacted by the Authority aforeſaid, That the Receiver-General do, out of any Fund or Funds unappropriated, pay unto *Ezekiel Gomerſall*, *William Hayman*, *William Gordon*, *Andrew Arcedeckne*, *Alger Peſtell*, *Thomas Edlyne*, *Robert Strachan*, and *Robert Duckingfield*, Eſquires, or any Two of them, the Sum of Five hundred Pounds, to be laid out in the building a good comfortable Dwelling-houſe, the Wall to be of Stone, or Brick and Lime, Three Feet thick to the Water Table, and Two Feet thick from thence to the Top, with good and convenient Chimnies, a Kitchen, and Ovens, of like Materials, on ſuch Part of the ſaid Bath Land as the ſaid *Ezekiel Gomerſall*, *William Hayman*, *William Gordon*, *Andrew Arcedeckne*, *Alger Peſtell*, *Thomas Edlyn*, *Robert Strachan*, and *Robert Duckingfield*, or any Two of them, ſhall judge proper and convenient.

500 *l.* to be paid to the Perſons herein named, who are to build a Dwelling-houſe according to the Directions herein given.

III. And for the better enabling the ſaid Commiſſioners, or any Two of them, to carry on ſo laudable a Work in the moſt effectual Manner, be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Commiſſioners, or any Two of them, to make Uſe of ſuch Part, and ſo much of the ſaid Lands as they, or any Two of them, ſhall think proper; and alſo to burn Lime, dig Sand or Marle, carry Stones, and cut Timber ſufficient for the Purpoſes aforeſaid in any Part of the ſaid Land; any Act, Law, Statute, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

They may dig Materials, &c. out of any Part of the Bath Land.

IV. And that from henceforth it ſhall and may be lawful to and for the Directors of the Bath of St. *Thomas* the Apoſtle, and their Succeſſors for the Time being, or the major Part of them, to grant and leaſe out the Bath Houſe and Buildings, and any Quantity of the Bath Land, not exceeding One hundred Acres, to ſuch Perſon and Perſons as the ſaid Directors of the Bath of St. *Thomas* the Apoſtle, and their Succeſſors for the Time being, or the major Part of them, ſhall from Time to Time think fit, for any Term or Number of Years, not exceeding One and twenty Years in Poſſeſſion, ſo as ſuch Perſon or Perſons to whom any ſuch Leaſe or Leaſes ſhall be made, ſhall reſide on the ſaid Land, and uſe his or their utmoſt Endeavours to provide and find all uſeful and neceſſary Accommodations, Lodgings, Attendance, and Proviſions for all ſuch ſick and infirm People as

100 Acres of the Land may be let to build an Houſe for the convenient Reception of the Sick, &c.

as ſhall require the ſame, at reaſonable Rates and Prices, and give ſufficient Security to perform the ſame; and alſo to grant and leaſe out, for any Term not exceeding One and twenty Years in Poſſeſſion, to any other Perſon or Perſons who ſhall reſide upon ſuch Land, any Quantity of the Bath Land, not exceeding Thirty Acres, to any one Perſon. 1731.

Lands to be ſurveyed, &c. at the Publick Expence.

V. AND in order to aſcertain the Bounds of the ſaid Lands, be it alſo enacted, That the ſame be ſurveyed and laid out in ſuch Parcels as aforeſaid, at the Expence of the Publick, on or before the Twenty-fifth Day of *December* next, or at any Time after, as the ſaid Commiſſioners, or any Two of them, ſhall appoint and direct.

Negroes appointed to work in laying out a Road to the ſaid Bath.

VI. AND for the better Advancement of ſo good a Work, be it enacted by the Authority aforeſaid, That a Road be laid out, opened, and cleared, from the Plantation called *Cardiff's* at *Port Morant*, through Mr. *Curtis's*, *Lloyd's*, Captain *Brookes's*, and *Plummer's*, purſuant to the Directions of an Act, entituled, *An Act for the Highways*, by the Negroes belonging to Colonel *Swymmer's* Plantation, *Risbee's*, *Wignall's*, *Taylor's*, *Yeamans's*, *Roe's*, *Blair's*, *Garrioch*, or *Cardiff's*, *Pero*, *Bowden's*, *Stoake's*, *Curtis's*, *Feak*, and *Aldcroft's*, *Feak's* Penn, Colonel *Warren's*, *Brookes's*, *Plummer's*, *Aſcough's*, and *Plantain Garden River*, to the ſaid Spring or Springs and Bath, within the Space of Six Months; and that the ſaid *Andrew Arcedeckne*, and *Thomas Edlyne*, Eſquires, and *Thomas Plummer*, and *John Swarton*, junior, or any one or more of them, be, and they are hereby nominated and appointed Surveyors of the ſaid Highway or Road.

On Surveyors Application, Juſtice of Peace is to ſummon a Jury to lay out the Road.

VII. AND the better to enable the ſaid Surveyors to do their Duty in making the ſaid Road, they, or any one or more of them, are hereby impowered to apply to any one Juſtice of the Peace, who, on ſuch Application, is hereby required to iſſue his Warrant to ſummon a Jury to lay out the ſaid Road, under the Penalty of One hundred Pounds.

VIII. AND the ſaid Surveyors are hereby alſo required and obliged, within Thirty Days after the ſaid Roads ſhall be ſo laid out, to iſſue their Warrant to warn the aforeſaid Plantations or Settlements out of every Five given into the Veſtry in the ſaid Pariſh, to ſend one able working Negro with proper Tools, ſuch as the ſaid Surveyors, or any one or more of them, ſhall direct, to work at ſuch Place as the ſaid Surveyors, or any one or more of them, ſhall direct; and there to continue until the ſaid Road be opened, cleared, and mended, under the Penalty of Fifty Pounds for every Perſon who ſhall neglect ſending his Negro or Negroes with ſuch Tools as aforeſaid; and if any Perſon or Perſons ſhall neglect or delay to ſend his, her, or their Number or Complement of Negroes with proper Tools, and continue them as aforeſaid, he ſhall, for every Neglect or Refuſal, forfeit and loſe the Sum of Five Shillings a Day; to be recovered by Warrant from any Juſtice of the Peace, who, on Application and Proof made by Oath, is hereby obliged and required to iſſue ſuch Warrant, under the Penalty of Fifty Pounds.

Penalty on Perſons neglecting to ſend Negroes, &c.

Directors may grant Land to Soldiers.

IX. AND be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Directors of the Bath of St. *Thomas* the Apoſtle, and their Succeſſors for the Time being, or the major Part of them, to grant any Number of Acres, not exceeding Thirty Acres of the ſaid Bath Land, to any Soldier or other Perſon who ſhall ſettle and manure the ſame: But if any ſuch Grantee ſhall neglect ſettling or manuring the ſaid Land for the Space of Six Months after the Date of ſuch Grant, or having once ſettled, or begun a Settlement on any Part, and ſhall quit or decline the Continuation thereof for the Space of Three Months, he ſhall forfeit the ſame, to all Intents and Purpoſes, to the Directors of the Bath of St. *Thomas* the Apoſtle aforeſaid, and their Succeſſors for the Time being, and the ſaid Directors of the Bath of St. *Thomas* the Apoſtle, and their Succeſſors for the Time being, or the major Part of them, may at any Time afterwards grant and convey the ſame; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Settlers exempted from Taxes for 7 Years.

X. AND all Perſons who ſhall, in Purſuance of this Act, ſettle on the ſaid Bath Lands, or any Part thereof, ſhall, and they are hereby exempted from all Parochial and Publick Taxes whatſoever for Seven Years, from the Time they ſhall begin ſuch Settlement or Settlements; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

XI. AND

1731. XI. And be it further enacted by the Authority aforeſaid, That all Penalties and Forfeitures herein before mentioned, and not declared where they ſhall be recovered, or how diſpoſed of, ſhall be recovered in the Supreme Court of Judicature of this Iſland, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoin, Protection, Wager of Law, or Injunction ſhall be granted or allowed; and ſhall be to the ſaid Directors of the Bath of St. *Thomas* the Apoſtle, and their Succeſſors for the Time being, to and for the Uſe and Benefit of the ſaid Bath; the ſaid Act, or any other Act, Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Penalties how to be recovered.

An Act for the further quieting Poſſeſſions, and regulating Reſurveys.

Act 95. WHEREAS nothing can tend more to encourage the Settling of this Iſland, than the quieting ſuch Perſons who are already ſettled, or ſhall hereafter ſettle in the ſame, in the Poſſeſſion of their Lands and Eſtates: And whereas the ſeveral Acts hitherto made for that Purpoſe have not proved effectual, and many expenſive and vexatious Suits at Law and Equity have been already, and hereafter may be commenced, by reaſon of the Uncertainty of the Lines and Boundaries of Lands and Titles under Wills and other Conveyances: For Remedy whereof, and for quieting the People already ſettled, and to encourage others to become Planters and Settlers in this Iſland, we your Majeſty's moſt dutiful and loyal Subjects, the Council and Aſſembly of this your Majeſty's Iſland, do beſeech your Majeſty that it may be enacted; and be it enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted and ordained by the Authority of the ſame, That from and after the firſt Day of *May*, which ſhall be in the Year of our Lord One thouſand ſeven hundred and thirty two, all and every Perſon and Perſons who hold any Lands, Tenements, Negroes, or Hereditaments by virtue of any Deed, Will, or Conveyance whatſoever, or of any Patent for which Quit-rent hath been paid for Twenty Years at the leaſt, or from the Date of ſuch Patent, though the ſame, or any Aſſignment thereof, may have been loſt; or that hold by virtue of any Order, and have paid Quit-rent for the Time aforeſaid, and hath or have been in peaceable and quiet Poſſeſſion of any Lands, Tenements, Negroes, or other Hereditaments, for and during the Space of Seven Years laſt paſt before the making of this Act, or ſhall continue in ſuch Poſſeſſion of the ſame for the Space of Seven Years from and after the ſaid firſt Day of *May*, which ſhall be in the Year of our Lord One thouſand ſeven hundred and thirty two, or ſhall at any Time hereafter be and continue in ſuch Poſſeſſion, for the Space of Seven Years from their firſt poſſeſſing of the ſame, either by themſelves, or thoſe under whom they claim, ſhall have and enjoy ſuch Lands, Tenements, Negroes, or other Hereditaments, to them and their Heirs for ever, againſt his Majeſty and his Heirs, and all other Perſons whatſoever; and ſhall be at Liberty to give this Act in Evidence, or plead the ſame in bar in any Suit or Suits, Claim or Demand to be brought or made againſt him, her, or them, by his Majeſty or his Succeſſors, or any other Perſon whatſoever, the Right or Title of any prior Patentee, or any other Act, Law, Cuſtom, or Uſage to the contrary hereof notwithſtanding; the Right and Title of any Perſon under the Age of Twenty-one Years, Woman under Coverture, and Perſons of unſound Memory, always excepted and foreprized.

Perſons to hold their Lands, &c. notwithſtanding their Patents be loſt.

Proviſo. II. Provided ſuch Perſon under the Age of Twenty-one Years, Woman under Coverture, or Perſon of unſound Memory, ſhall reſpectively bring their Actions for ſuch Eſtate, as aforeſaid, within Three Years after ſuch Perſon under Age ſhall attain the Age of Twenty-one Years, or Woman under Coverture ſhall become ſole, or Perſons of unſound Memory become *Compos mentis*.

This Act not to give any Title to Perſons poſſeſſed of Lands deviſed to charitable Uſes, &c. III. And provided nevertheleſs, That this Act, or any thing therein contained, ſhall not extend, or be deemed, held, taken, or conſtrued to extend, to confirm or give Title to any Perſon or Perſons ſeized or poſſeſſed of any Lands conveyed or deviſed to any charitable Uſe or Uſes, Mortgagee or Leſſee of any Lands, Tene-

ments,

ments, Negroe, or other Slaves, or Hereditaments, mortgaged or in Leaſe, or to any other Perſon or Perſons, to any Lands, Tenements, Negroe, or other Slaves, or Hereditaments, by him, her, or them poſſeſſed, as Attorney or Guardian, or otherwiſe, in Right of another, or to any particular Uſe, Truſt, Courteſy, Dower, Eſtate for Years, or for Life or Entail, or to any Perſon or Perſons whatſoever claiming, or to claim by, from, or under any Mortgagee or Leſſee, or to any Attorney or Guardian, or other Perſon ſeized or poſſeſſed, to the Uſe of, or in Truſt for another, or under ſuch Tenants by the Courteſy in Dower, for Years, or for Life, but that the ſame remain and be, to all Intents and Purpoſes, as before the making of this Act; any thing herein contained to the contrary in any wiſe notwithſtanding. 1731.

IV. And for the better aſcertaining the Bounds of all Lands which ſhall be hereafter diſputed, and for preventing the evil Practices of Surveyors, whereby ſo many vexatious and expenſive Suits may be commenced and ſupported, be it further enacted by the Authority aforeſaid, That whenever any Suit ſhall hereafter be brought for Lands, where the Boundaries ſhall be diſputed, the Judges before whom the ſame ſhall ariſe, ſhall adjudge the real run and marked Lines, which are proved before them to be real original run and marked Lines, or ſuch that have been deemed, reputed, or taken to be the marked Lines for the Space of ten Years laſt paſt, to be the true Boundaries of the Land in Diſpute; or where the real original run Lines cannot be proved, that they ſhall adjudge and determine by ſuch Lines as ſhall beſt anſwer the Courſe and Diſtance of the original Plat or Patent for ſuch Lands. Judges to determine the Lines proved to be the original Lines, the true Boundaries of the Land in Diſpute.

V. Provided the ſame be made by any lawful Surveyor or Surveyors, duly ſworn to do Juſtice in that Behalf, and the Plat and Fieldwork thereof be annexed, ſigned, and atteſted by the ſaid Surveyor or Surveyors, and that the Record of ſuch Plat, that ſhall hereafter be made in Manner aforeſaid, and duly recorded in the Clerk of the Patents Office, ſhall be binding and concluſive to all Parties, and be ſufficient Evidence to determine the Right of the Poſſeſſor to all the Lands within the Lines of the ſaid Re-ſurvey Plat. Proviſo.

VI. And be it further enacted by the Authority aforeſaid, That no Surveyor ſhall or do preſume for the future to run or trace any Lines on any Writ of View, but the very Lines actually in Diſpute, under the Penalty of forfeiting Five hundred Pounds for every ſuch Offence; unleſs particularly directed by the Court from which ſuch Writ ſhall iſſue, who are hereby impowered and required to give ſuch Direction. Surveyors not to run any Lines, but thoſe in Diſpute.

VII. And be it further enacted by the Authority aforeſaid, That in all Writs of View hereafter to be iſſued, a Surveyor ſhall receive Four Pence an Acre for ſurveying; and in all neceſſary Traverſes, Twenty Shillings for every Mile of eighty Chains, and ſo in Proportion for a greater or leſſer Number of Chains; and Eighteen Pence a Mile from the Town of St. *Jago de la Vega* to the Place every ſuch Writ of View ſhall be executed, for travelling Charges, Trouble, and Expences, and no more; under the Penalty of forfeiting One hundred Pounds for every Time he ſhall aſk for, or take any more than is allowed by this Act. Surveyor's Fees.

VIII. And be it enacted by the Authority aforeſaid, That every ſworn Surveyor, upon Application made to him by any Perſon to make any Re-ſurvey of Land, ſhall make an Entry in a Book to be kept by him for that Purpoſe; and ſhall not preſume, on Pretence of any general Application made to him by any Perſon, or otherwiſe than upon a particular Application to him for particular Runs (to the Truth of which the Surveyor ſhall make Oath, if required) to prefer any other Perſon whatſoever; but re-ſurvey for him that firſt applied to him, upon his paying, or tendering to pay for ſuch Re-ſurvey and Mile-money as herein before is directed, under the Penalty of Two hundred Pounds for every Neglect or Refuſal contrary to the Direction of this Act. To ſurvey for thoſe who firſt apply to them.

IX. And in order to encourage new Settlers in this Iſland, and to quiet them and others in their Settlements, be it enacted by the Authority aforeſaid, That if any Perſon or Perſons that hath or have begun a Settlement, or that ſhall begin to make a new Settlement, ſhall by Miſtake happen to fall into, or upon any elder or other Run of Land, and to plant or build upon it, he ſhall be liable to pay for it to the true Owner or Proprietor thereof, according to the Value of the ſaid Perſons falling upon the Land of others, to pay for the ſame, not exceeding 40 *s.* *per* Acre.

1731. Land, at the Time of the Treſpaſs to be committed, not exceeding the Sum of Forty Shillings *per* Acre, for ſo much thereof as he ſhall actually have ſo fallen and ſettled upon; the ſame to be valued and adjuſted by one neighbouring Juſtice of the Peace and two Freeholders upon Oath, who are hereby required and impowered to value the ſame accordingly, within ten Days after Requeſt made to them ſo to do, by either of the Parties claiming the ſame, under the Penalty of Twenty Pounds for every Neglect or Refuſal; and upon ſuch Valuation and Adjuſtment, and Payment of the ſaid Sum, the Proprietor thereof ſhall convey the ſame over to ſuch Perſon ſo ſettled upon the ſame; in Default thereof the ſaid Land ſhall be adjudged to belong to the ſaid new Settler, his Heirs and Aſſigns, and be confirmed to him or them, and deemed and taken to be Part and Parcel of his own Land for ever.

Settling upon any Land belonging to the Crown entitled to a Patent for the ſame.

X. And be it enacted by the Authority aforeſaid, That if it ſhall happen that any Perſon, by Miſtake of Surveyors, or otherwiſe, hath ſettled, or ſhall hereafter ſettle upon any Land belonging to his Majeſty, his Heirs or Succeſſors, and the ſame ſhall be afterwards found to be ſo; yet ſuch Perſon, that ſhall be ſo ſettled, ſhall be preferred to all or any other Perſon or Perſons, and entitled to a Patent for the ſame to him, her, or them, and his, her, or their Heirs, paying the uſual Fees only. Provided he, ſhe, or they apply for ſuch Patent, and pay the Quit-rents, uſually reſerved for ſuch Time as they have been poſſeſſed hereof, as aforeſaid; and until ſuch Patent ſhall paſs the Seal, ſuch Poſſeſſor, his, her, or their Heirs and Aſſigns, ſhall continue in quiet and peaceable Poſſeſſion of the ſaid Land.

Proviſo.

XI. Provided always, That neither this Act, nor any thing in it contained, ſhall extend to bar or defeat the Right, Title, or Intereſt of any Perſon or Perſons who hath or have already commenced or brought his or their Action or Actions, Suit or Suits, that is or are now depending, or of any Perſon or Perſons who ſhall commence or bring his or their Action or Actions, Suit or Suits on or before the firſt Day of *May*, which will be in the Year of our Lord One thouſand ſeven hundred and thirty four, and ſhall proſecute the ſame to Effect.

Forfeitures how to be applied.

XII. And be it further enacted by the Authority aforeſaid, That one Moiety of all Forfeitures and Penalties mentioned in this Act, and not directed how to be recovered or diſpoſed of, ſhall be to his Majeſty, his Heirs and Succeſſors, for and towards the Support of the Government of this his Majeſty's Iſland of *Jamaica*, and the contingent Charges thereof; and the other Moiety, or half Part, to the Informer, who ſhall ſue for the ſame; to be recovered by Bill, Plaint, or Information in any of his Majeſty's Courts of Record within this Iſland; wherein no Wager of Law, Eſſoin, Protection, Injunction, or *Noli proſequi* ſhall be allowed; any thing in this Act, or in any other Act or Law to the contrary in any wiſe notwithſtanding.

An Act for the better preſerving of the Records in the ſeveral Publick Offices of this Iſland, ſupplying and remedying Defects in ſeveral former Laws, for preventing fraudulent Deeds and Conveyances, and recording old Wills in a prefixed Time.

Act 96.

Whereas ſome Inconveniencies have already happened, through the Negligence and Miſbehaviour of ſome Officers in the reſpective Offices of Record of this Iſland: For the Prevention of ſuch Inconveniencies for the future, and the razing, embeziling, or deſtroying of any the Records or Enrolments within this Iſland; we your Majeſty's moſt dutiful and loyal Subjects, Council, and Aſſembly of this your Majeſty's Iſland, do beſeech your Majeſty that it may be enacted; be it therefore enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted and ordained by the Authority of the ſame, That if any Perſon whatſoever ſhall make, or cauſe to be made, any Razure, or falſe Entry, or ſhall raze out, embezil, or ſteal any Entry, or Book of Entry, wherein any Patent, Deed, Conveyance, Will, or Teſtament already is, or hereafter ſhall be entered or recorded in the ſaid Office of

Penalty on Perſons erazing any Entry, &c.

of Enrolments, or Secretary's Office of this Iſland, or ſhall make, or cauſe to be made, any Razure, or falſe Entry, or ſhall raze, embezil, or ſteal any Record of a Judgment or Decree entered or recorded in any Book of Entry or Record in the Office of the Clerk of the Supreme Court of Judicature in this Iſland, or of the Clerk of the Patents, and Regiſter of the Court of Chancery in this Iſland; or ſhall raze, alter, or ſteal any Alphabet belonging, or which ſhall hereafter belong to any Book or Books of Record in the ſaid ſeveral Offices of this Iſland, or either of them; he or they ſo offending, ſhall be proceeded againſt, tried, and puniſhed in like Manner and Form, and be ſubject to the ſame Forfeitures and Penalties, as if the Fact had been committed in that Part of *Great Britain* called *England*. 1731.

II. And in order to prevent the Difficulty that attends the proving Titles to Eſtates, where the original Patents, Wills, or Deeds are or may be loſt or miſlaid, or the Witneſſes who atteſted the ſame are dead, or gone off this Iſland, or not to be found; be it enacted by the Authority aforeſaid, That the Records of any Letters Patent enrolled in the Secretary's Office, or Office of Enrolments in this Iſland; and the Record of any Deeds duly executed, and proved, or acknowledged, and enrolled in the ſaid Office, or any other Office of Record, according to the ſeveral Acts of the Governor, Council, and Aſſembly in that Caſe made and provided; and the Record or Enrolment of any Laſt Wills and Teſtaments, duly executed according to Law, and proved before the Governor, or Commander in Chief, by one or more of the ſubſcribing Witneſſes thereto; ſhall at all Times hereafter be deemed, judged, and taken ſufficient Evidence of the ſeveral Perſons Titles to any Lands, Tenements, Negroes, Hereditaments, or Eſtate whatſoever, Real or Perſonal, claimed under the ſaid Patents, Deeds, Conveyances, or Wills; and the ſame ſhall be read and allowed in all and every Court or Courts of Law or Equity within this Iſland, as if the original Patents, Deeds, Conveyances, or Wills were actually produced, proved, and read in all and every the ſaid Courts.

Records enrolled in the Secretary's Office, to be deemed ſufficient Evidence in all Courts of Law, &c.

III. And be it further enacted by the Authority aforeſaid, That the Exemplification of all Wills made in *Great Britain* or *Ireland*, or any other of his Majeſty's Colonies or Dominions, and ſent over to this Iſland, atteſted as ſuch (after Probate thereof made according to Law in the ſaid ſeveral Dominions and Colonies reſpectively) under the Seal of the Prerogative Court of *Canterbury*, or under the Seal of the Archbiſhop or Lord Mayor of *Dublin*; or any other Archbiſhops in their reſpective Dioceſes in *England* or *Ireland*; or the Mayor, Provoſts, or Bailiffs of any other Corporation or Body Politick; or under the Seal of any of the ſaid Dominions or Colonies reſpectively, and afterwards recorded or enrolled in this Iſland, ſhall be good and ſufficient Evidence (and read and allowed as ſuch) of the Title of the Party or Parties claiming or to claim any Lands, Tenements, Hereditaments, or Eſtate whatſoever under ſuch Wills or Teſtaments ſo exemplified reſpectively, in all and every the Court or Courts of Law and Equity within this Iſland; any thing in this, or in any other Act or Law to the contrary in any wiſe notwithſtanding.

The Exemplification of Wills made in *Great Britain* or *Ireland*, &c. after Probate thereof made, to be good Evidence.

IV. And whereas by an Act, entituled, *An Act for regiſtering Deeds and Patents*, it is (amongſt other Things) therein enacted, That if any Vendee of any Lands, Tenements, or Hereditaments, hath omitted to execute and enrol his Deed within the Time, and purſuant to the Form preſcribed by the ſaid Law, but ſhould at any Time afterwards have done the ſame, no ſecond Sale being made by the firſt Vendor, his Heirs or Executors, the ſame ſhould nevertheleſs be good to the ſaid Vendee, his Heirs and Executors, and a perpetual Bar againſt the firſt Vendor and his Heirs; any thing in that Act, or any other to the contrary notwithſtanding. And whereas, through the Omiſſion of the Words *(or ſhall hereafter omit)* ſeveral Diſputes have ariſen, and honeſt Purchaſers have been defrauded, by reaſon of ſome Neglects or Omiſſions in the Form and Proofs on Deeds, and recording the ſame within the prefixed Times therein mentioned. And whereas it is alſo therein further enacted, That all Deeds and Conveyances, granted and made out of this Iſland, and remitted hither, being proved before the Governor, or any of the Judges of the Courts of Common-Pleas, and all thoſe Deeds and Conveyances where any Granter or Conveyancer ſhould perſonally appear

How Regiſter of Deeds may be good, though regiſter'd out of Form.

1731. pear in his Majeſty's Court, held before the Lord Mayor and Aldermen of the City of *London* for the Time being, and ſhould then and there own and acknowledge ſuch Deed, Grant, or Conveyance, to be his Act and Deed, and an Atteſt thereof be made under the Seal of the Mayoralty of the ſaid City, and the ſame be recorded in the aforeſaid Office (meaning the Office of Enrolments of this Iſland) within ſix Months of the Arrival of the Ship that brought the ſame, ſhould, to all Intents and Purpoſes whatſoever, be as valid, as if the ſaid Deed or Conveyance had been here made, acknowledged, proved, and recorded according to the Form and Time herein before appointed. And whereas the ſaid two Clauſes before recited have occaſioned ſeveral Diſputes, and the latter may occaſion and induce further Frauds, no Time being prefixed for the enrolling of Deeds made out of this Iſland, other than as aforeſaid, to the Prejudice of the juſt Purchaſers and Creditors, who may have paid or lent their Money, not knowing that the Lands conveyed or charged to them may before have been conveyed or charged to ſome other Perſon or Perſons, and kept dormant: For the Prevention whereof for the future, and remedying the before mentioned and other Inconveniencies, be it further enacted by the Authority aforeſaid, That all and every Deed or Deeds heretofore made of any Lands, Tenements, Negroes, or Hereditaments whatſoever in this Iſland, and that has or have been duly proved or acknowledged before the Governor, or Commander in Chief, or ſome Judge or Judges of the Grand Court, or any other Court of Record in this Iſland, ſuch Deed and Deeds ſhall be, and they are hereby enacted, declared, and adjudged to be good and valid in the Law to paſs and convey a juſt Title for all ſuch Lands, Tenements, Negroes, and Hereditaments to all and every Purchaſer and Purchaſers, Grantee and Grantees, where no ſecond Sale ſhall appear to be or have been proved and recorded, as before directed by the ſaid Law; any thing in this, or any other Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Deeds heretofore made, that have been duly proved, adjudged valid in Law.

Deeds to be recorded within 90 Days, otherwiſe void, againſt other Purchaſers.

V. And be it further enacted by the Authority aforeſaid, That all and every Deed or Deeds which ſhall be made or executed within this Iſland from and after the firſt Day of *May*, which ſhall be in the Year of our Lord One thouſand ſeven hundred and thirty two, for any Lands, Tenements, Negroes, or Hereditaments whatſoever, ſhall be duly proved, or acknowledged, and recorded within ninety Days after the Date or Dates of ſuch Deed or Deeds, otherwiſe to ſtand void and of no Effect againſt all other Purchaſers or Mortgagees, *bona fide*, for valuable Conſideration of the ſaid Lands, Tenements, Negroes, or Hereditaments, who ſhall duly prove and record their Deeds within the Time preſcribed by this Act, from the Dates of their reſpective Deeds.

Proviſo.

VI. Provided always nevertheleſs, and it is hereby enacted by the Authority aforeſaid, That if any Vendee or Mortgagee of any Lands, Tenements, Negroes or Hereditaments, ſhall hereafter omit to prove and record his Deed within the Time, and purſuant to the Form preſcribed by this Act, but ſhall at any Time afterwards do the ſame, no ſecond Sale or Mortgage being made by the firſt Vendor or Mortgager, his Heirs or Aſſigns, the ſame ſhall nevertheleſs be good to the ſaid Vendee or Mortgagee, his Heirs or Executors, and a perpetual Bar againſt the firſt Vendor or Mortgager, and his Heirs; any thing in this Act, or any other to the contrary notwithſtanding.

Deeds made out of the Iſland, to be enrolled within ſix Months, &c.

VII. And be it further enacted by the Authority aforeſaid, That all Deeds and Conveyances made and executed out of this Iſland, for any Lands, Tenements, Negroes, or Hereditaments within this Iſland, from the firſt Day of *May* which ſhall be in the Year of our Lord One thouſand ſeven hundred and thirty-two, ſhall be duly proved, or acknowledged and recorded, or enrolled in the Office of Enrolments of this Iſland, within ſix Kalendar Months after the Dates of ſuch Deeds or Conveyances, and within ninety Days after the Arrival of the Ship which brought the ſame, otherwiſe to ſtand void, with reſpect to other Purchaſers or Mortgagees, *bona fide*, for valuable Conſideration, as aforeſaid; but ſtill to preſerve and maintain a Right and Title againſt the Vendor or Mortgager, and his or their Heirs, in caſe the firſt Vendee or Mortgagee ſhall at any Time duly prove and record his or their Deeds or Conveyances; no ſecond, or other Deed or Conveyance being in the mean time proved, or acknowledged, and recorded, or enrolled,

rolled, in Favour of any other Perſon or Perſons, as aforeſaid; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. 1731.

VIII. And in order to diſcourage and deter all and every Perſon and Perſons from making any fraudulent Conveyances or Mortgages, be it further enacted by the Authority aforeſaid, That if any Vendor or Mortgager of Lands, Tenements, Negroes, or Hereditaments within this Iſland, ſhall preſume to execute a ſecond, or other Deed of Conveyance or Sale of the ſame Lands, Tenements, Negroes, or Hereditaments, other than to the firſt Vendee of ſuch Lands, Tenements, Negroes, or Hereditaments, or a ſecond or other Deed of Mortgage without having taken Notice in the ſaid Deed of Mortgage of the firſt or prior Mortgage or Mortgages, with which the ſaid Lands, Tenements, Negroes, or Hereditaments ſtand charged at the Time of executing the ſaid Deed; all and every Perſon and Perſons ſo offending ſhall be tried and puniſhed, and ſubject to the like Forfeitures and Penalties, as by the Laws of that Part of *Great Britain* called *England* is provided againſt all ſuch Perſons as ſhall execute Deeds of Mortgage without taking Notice of all prior Mortgages made.

Penalty on Perſons making a ſecond Deed without mentioning the firſt.

IX. And whereas there is now remaining in the Secretary's Office of this Iſland a great Number of original Wills that are not recorded, under which many Perſons are entitled to Eſtates; and for want of ſuch Wills being recorded, many Diſputes and Inconveniencies may happen: For Prevention whereof, be it enacted by the Authority aforeſaid, That the Secretary of this Iſland do, and he is hereby obliged, on or before the firſt Day of *November* next to record, or cauſe to be recorded, all and every original Will and Wills, now unrecorded, which were in his Office before the Year of our Lord One thouſand ſeven hundred and twenty, in a fair well bound Book to be kept for that Purpoſe; for which he ſhall be paid by the Receiver General out of any Fund or Funds raiſed, or to be raiſed for each Will according to the Rates now allowed for recording of other Deeds or Wills.

Secretary to record all Wills unrecorded.

X. And be it enacted by the Authority aforeſaid, That Copies of this Act, and alſo of one other Act paſſed this Seſſions, entituled, *An Act for the further quieting Poſſeſſions, and regulating Reſurveys*, be ſent as ſoon as conveniently may be, by the Secretary, to the Chief Juſtice of this Iſland, to be read every Grand Court for two Years next enſuing; and alſo one to every *Cuſtos* in this Iſland, to be read in every Quarter-ſeſſions of the Peace to be held in this Iſland, for the Space of Two Years from the paſſing thereof; and the ſaid Chief Juſtice, and *Cuſtos's* reſpectively, are hereby required to order the ſame to be read, as aforeſaid, under the Penalty of Fifty Pounds each, for every Neglect or Refuſal; to be recovered by Bill, Plaint, or Information in the Supreme Court of Judicature of this Iſland, wherein no Eſſoin, Protection, Injunction, or *Noli proſequi* ſhall be granted or allowed; the one Moiety thereof to his Majeſty, his Heirs, and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Moiety to the Informer, or him or them who ſhall ſue for the ſame; any thing in this Act, or in any other to the contrary notwithſtanding.

A Copy of this Act to be ſent to the Chief Juſtice of the Iſland, &c.

XI. And be it further enacted by the Authority aforeſaid, That for each of the ſaid Copies by the Secretary ſo to be made out and ſent, as aforeſaid, he ſhall be paid by the Receiver General, out of any Money in his Hands, the Sum of Twenty Shillings, which ſhall be allowed the Receiver General in his Accounts; any thing to the contrary notwithſtanding.

Secretary's Fee.

An Act for keeping a Nightly Watch in the Town of Kingſton, *and for the Prevention of Damages that may ariſe by Fire.* 1732.

Act 97.

WHEREAS the Town of *Kingston* is of very great Importance, as it is become the chief Seat of Trade, and conſequently the general Mart or Warehouſe for Proviſions, and all Kinds of Materials neceſſary for the Support and Defence of this Iſland: And whereas there have been of late frequent Bur-

1732. glaries and Robberies committed in the ſaid Town; for preventing of which for the future, and for Security of the ſaid Town, we your Majeſty's moſt dutiful and loyal Subjects, the Governor, Council, and Aſſembly of *Jamaica*, moſt humbly beſeech your Majeſty that it may be enacted, and it is hereby enacted and ordained by the Authority of the ſame, That one or more Watch or Watches ſhall be kept in the ſaid Town of *Kingston* every Night, at ſuch Places, and in ſuch Manner and Number, as the Juſtices and Veſtry of the Pariſh of *Kingston* for the Time being ſhall direct and appoint.

A Nightly Watch to be kept in *Kingſton* Pariſh.

II. And for the better upholding the ſaid Watch, and Encouragement of the Watchmen carefully to do their Duty, be it enacted by the Authority aforeſaid, That the ſaid Juſtices and Veſtry may, and they are hereby impowered and required to lay a juſt and equal Tax, as well on the tranſient trading Men of the ſaid Town, as on the Inhabitants thereof, once every Year, not exceeding the Sum of Five hundred Pounds; which ſaid Tax ſhall commence from the firſt Day of *June* next, and be collected and levied in the ſame Manner as the Pariſh Tax is, and paid into the Hands of the Church-wardens for the Time being; to be applied to the Payment of ſuch Conſtables, and ſuch other Peſons, as the ſaid Juſtices and Veſtry ſhall think proper to employ as a Nightly Watch in the ſaid Town.

Juſtices and Veſtry may lay a Tax on the Inhabitants, *&c.* for defraying the Charge.

III. And in order to prevent any Conſtable's refuſing to do his or their Duty, or to take Charge of the Watch, it is hereby enacted by the Authority aforeſaid, That each and every Conſtable in the ſaid Town ſhall, in their Turns, take Charge of the ſaid Watch, as they ſhall be directed by the Juſtices or the major Part of them, and ſhall receive as a Gratuity for their Trouble, the Sum of Five Shillings each Night he or they ſhall ſo watch; which ſaid Five Shillings each Night ſhall be paid to them by the Church-wardens of the ſame Pariſh for the Time being: But in caſe any Conſtable ſo appointed ſhall refuſe to take Charge of the Watch, and do his Duty, as directed by the Juſtices, or major Part of them, he or they ſhall forfeit for every Neglect or Refuſal the Sum of Ten Pounds, current Money of this Iſland.

Conſtable to be paid 5 *s.* every Night.

Penalty on his Neglect of Duty.

IV. And whereas a great Part of the Houſes and Store-houſes in the ſaid Town are built of Timber and Boards, whereby the ſaid Town is liable to take Fire: And whereas there are great Numbers of Coopers Shops in the ſaid Town, the Owners whereof do not take proper Care in the uſing of Fire for burning of Caſk, from whence ill Conſequences may enſue: For Remedy whereof, and preventing any Accidents that may ariſe from Fire, be it enacted by the Authority aforeſaid, That from and after the firſt Day of *Auguſt* next, no Cooper, or Perſon raiſing or making Caſk, ſhall ſuffer any Fire to be made in his Yard, or any other Part of the Town, where he or his Servants or Slaves ſhall work, but in a Square, to be built of Brick by every ſuch Cooper, or Perſon ſo raiſing or making Caſk, of Eight Foot high, with one Door, and that to the Weſtward of every ſuch Building, under the Penalty of Ten Pounds for every Week he ſhall delay or neglect to raiſe ſuch an Incloſure, and for every Time he ſhall ſuffer any ſuch Fire to be made in his Yard, or any other Part of the Town, where he or his Servants or Slaves ſhall work, as aforeſaid, out of ſuch Square as aforeſaid, after the ſaid firſt Day of *Auguſt* next.

No Cooper to make Caſks in the Streets, *&c.* but in a Square to be kept for that Purpoſe.

V. And as a ſufficient Supply of Water will be neceſſary in caſe of an Accident of Fire, be it enacted by the Authority aforeſaid, That a Sum, not exceeding Two hundred Pounds, current Money of this Iſland, ſhall be raiſed by the Juſtices and Veſtry of the ſaid Town in Manner aforeſaid, for the making of Three Wells, and fixing Pumps on each of them, in ſuch convenient Places, as the Juſtices and Veſtry ſhall think proper.

200 *l.* to be raiſed for digging 3 Wells, for a Supply of Water in caſe of Fire.

VI. And whereas there are great Number of Negroe Huts and Hovels in the Front of the ſaid Town, towards the Sea, which renders it very liable to be ſet on Fire; be it enacted by the Authority aforeſaid, That from and after the firſt Day of *November* next, the Juſtices are hereby impowered and required to grant their Warrants to the Conſtables of the ſaid Town, for razing and pulling down all ſuch Huts and Hovels; and the ſaid Conſtables are hereby commanded and required immediately to put in Execution all ſuch Warrants ſo directed to them.

All Negro Huts to be pulled down.

VII. And

VII. AND be it further enacted by the Authority aforeſaid, That whoever ſhall erect, or ſuffer to be erected hereafter, any ſuch Huts or Hovels in the Front of the ſaid Town, toward the Sea, ſhall forfeit the Sum of Ten Pounds forever y ſuch Offence. 1732. Penalty for erecting Huts.

VIII. AND be it further enacted by the Authority aforeſaid, That one Moiety of all Forfeitures and Penalties mentioned in this Act, and not directed how to be recovered or diſpoſed of, ſhall be for the Support of the Poor of the Pariſh; and the other Moiety to the Informer, who ſhall ſue for the ſame; to be recovered by Action of Debt, or Information in the Court of Common Pleas in the ſaid Town, wherein no Wager of Law, Eſſoin, Protection, Injunction, or *Noli proſequi* ſhall be allowed; any thing in this Act, or in any other Act or Law to the contrary in any wiſe notwithſtanding. Diſpoſition of Forfeitures.

An Act to ſecure the Freedom of Elections, and directing the Proceedings in the Choice of Members to ſerve in Aſſemblies in this Iſland; to qualify Perſons elected to ſerve in future Aſſemblies in this Iſland; and to aſcertain who ſhall be deemed Mulattoes for the future. 1733.

ACT 98.

WHEREAS of late great Abuſes, and many indirect Practices have been made uſe of, as well by Candidates as Electors, in the Elections of Members to ſerve in the Aſſemblies in this Iſland: For preventing the ſame for the future, be it enacted by the Governor, Council, and Aſſembly of this his Majeſty's Iſland of *Jamaica*, and it is hereby enacted by the Authority of the ſame, That when any Aſſembly ſhall be hereafter ſummoned or called, there ſhall be Forty Days between the Teſte and Return of the Writs of Summons; and that the Provoſt-marſhal, or his lawful Deputy or Deputies for the Time being, with as much convenient Speed as may be, ſhall tranſmit Warrants to the *Cuſtos Rotulorum*, and in his Abſence, to ſome Juſtice of the Peace reſiding in ſuch Pariſh, directed to the Conſtables, to warn the reſpective Freeholders inhabiting in ſuch Pariſh, to appear at the Election of Repreſentatives; and that the *Cuſtos Rotulorum*, or Juſtice, receiving and ſigning ſuch Warrants as aforeſaid, ſhall cauſe them to be delivered to the ſaid Conſtables, ſo that they may be enabled to give each of the ſaid Freeholders Five Days Notice at the leaſt, of the Time and Place of the Election for ſuch Pariſh. Five Days Notice to be given to Freeholders, of the Time and Place of any Election.

II. AND foraſmuch as many Inconveniencies have been found by electing Members for Two or more Pariſhes upon one and the ſame Day: For the remedying thereof, be it further enacted by the Authority aforeſaid, That hereafter a ſeparate Day ſhall be appointed in every of the ſaid Writs of Summons for the Election of Members in each Pariſh of this Iſland, and that no Two or more Pariſhes ſhall elect upon one and the ſame Day; and in caſe any of the ſaid Writs of Summons ſhall not be executed upon the Day thereby appointed, no new or other Writ or Writs ſhall iſſue for electing any Member or Members to ſerve for ſuch Pariſh, until after the Meeting of ſuch Aſſembly. Two Pariſhes not to elect on the ſame Day.

III. AND be it further enacted by the Authority aforeſaid, That every Freeholder, before he is admitted to poll at ſuch Election, ſhall, if required by the Candidates, or any for them, firſt take an Oath in the Words following:

I A. B. *do ſwear, That I am a Freeholder, in my own or my Wife's Right, in Law or Equity, really and truly, in the Pariſh by Title proved or acknowledged, and recorded in the Office of Enrolments Three Months at the leaſt: and that my ſaid Freehold conſiſts of a Tenement of the real Value of Ten Pounds* per Annum, *or a Penn, with Six Head of Cattle, of the like or equal Value, or a Plantation, with Five Acres at the leaſt, planted; and that my ſaid Freehold is ſituate, lying, and being at and is butted and bounded and was patented in the Name of and* Freeholder's Oath.

1732. *and that it hath not been given or granted to me fraudulently or on purpoſe to qualify me to give my Vote at this Election; and that I have not before been polled, or given my Vote at this Election.*

Proviſo. IV. Provided always, That if any the Freeholders be a profeſſed *Quaker*, his Affirmation inſtead of the ſaid Oath ſhall be received, ſuch *Quaker* having firſt likewiſe taken the Affirmation appointed by an Act of Parliament in the firſt Year of his late Majeſty's Reign in *Great Britain*, entituled, *An Act for making perpetual an Act of the ſeventh and eighth Years of his late Majeſty King* William *the Third*, entituled, *An Act that the ſolemn Affirmation and Declaration of the People called* Quakers *ſhall be accepted, inſtead of an Oath, in the uſual Form; and for explaining and enforcing the ſaid Act, in relation to the Payment of Tythes and Church Rates; and for appointing the Form of an Affirmation to be taken by the ſaid People called* Quakers, *inſtead of the Oath of Abjuration.*

Time of keeping open the Poll. V. And in regard of the great Diſtance of the Reſidence of many of the Freeholders from the uſual Places of Election in the ſeveral Pariſhes of this Iſland; and that none of them, if able and willing, be prevented to give their Voices for Election of their Repreſentatives; be it enacted by the Authority aforeſaid, That the Poll of each Pariſh be kept open until Five of the Clock in the Afternoon of the Day of ſuch Election, and no longer, if the Candidates deſire the ſame: but that no Adjournment ſhall intervene, upon any Pretence whatſoever, till the Poll is cloſed, which ſhall begin between the Hours of Nine and Twelve in the Morning.

Penalty on *Cuſtos*, &c. not performing his Duty; VI. And be it further enacted by the Authority aforeſaid, That if any *Cuſtos Rotulorum*, Juſtice of the Peace, or Provoſt-marſhal, or any his Deputies whatſoever, concerned in the Execution of the ſaid Writs of Summons, or other the Matters aforeſaid, ſhall neglect to do his or their Duty in the Premiſſes, then every ſuch *Cuſtos Rotulorum*, Juſtice of the Peace, or Provoſt-marſhal or his Deputy, ſo neglecting his Duty, ſhall for every Offence forfeit the Sum of Two Hundred Pounds current Money of this Iſland.

and on Conſtables. VII. And every Conſtable, or other Perſon or Perſons ſo neglecting his or their Duty in the ſaid Premiſſes, ſhall forfeit the Sum of Twenty Pounds like current Money of this Iſland; one Half of which ſaid Forfeitures ſhall be to the Uſe of his Majeſty, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; the other Moiety to the Party aggrieved; to be recovered in his Majeſty's Supreme Court of Judicature in this Iſland, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoin, Protection, Wager of Law, Privilege, or Imparlance ſhall be allowed; any Law, Statute, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Freeholders not to be ſent out on Parties on Election Days. VIII. And whereas ſeveral indirect Practices have been made uſe of to prevent ſeveral Perſons giving in their Votes, either by keeping them in Arms on the Day of the ſaid Election, or ſending the Freeholders out on Parties; be it further enacted by the Authority aforeſaid, That no Regiment, or any Company or Troop of any Pariſh or Precinct where any Election is to be, ſhall be in Arms on the Day of ſuch Election; and that immediately after Notice of any Aſſembly ſo to be convened as aforeſaid, no Perſon that is a Freeholder ſhall be ſent or forced out on any Party, till ſuch Election ſhall be over, except in the Caſe of an Invaſion, actual Inſurrection, or Rebellion; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding, under the Penalty of One Hundred Pounds current Money of this Iſland; to be recovered in any Court of Record againſt any Perſon offending contrary to the true Intent and Meaning of this Act; one Half whereof ſhall be to the Uſe of his Majeſty, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; the other Moiety to the Informer, or to him or them that ſhall inform or ſue for the ſame, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed, or *Non vult ulterius proſequi* entered; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding.

IX. And

IX. And be it further enacted by the Authority aforeſaid, That no Perſon ſhall be capable of ſitting in any future Aſſembly of this Iſland, who ſhall not take the following Oath, *viz.* 1733.

Member's Oath.

I A. B. *do ſwear, That I truly and* bona fide *have an Eſtate in my own or my Wife's Right, in Law or Equity, of or in Lands, Tenements, Negroes, or other Hereditaments, over and above what is ſufficient to pay all my juſt and proper Debts, of the Value of Three Hundred Pounds* per Annum, *or Three thouſand Pounds in Groſs.*

Which Oath ſhall be taken and adminiſtered at the ſaid Time, and in the ſame Manner, that the Oaths of Allegiance and Supremacy are to be taken by, and adminiſtred to the ſeveral Members; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

X. And for the better aſcertaining who ſhall be deemed Mulattoes within the Intent and Meaning of this Act, be it further enacted by the Authority aforeſaid, That no Perſon who is not above Three Degrees removed in a lineal Deſcent from the Negroe Anceſtor excluſive, ſhall be allowed to vote or poll in Elections; and no one ſhall be deemed a Mulatto after the Third Generation, as aforeſaid, but that they ſhall have all the Privileges and Immunities of his Majeſty's white Subjects of this Iſland, provided they are brought up in the Chriſtian Religion.

Who to be deemed Mulattoes.

An Act for ſecuring and collecting his Majeſty's Quit-rents, Fines, Forfeitures, and Amerciaments; and for regulating the Manner of Eſcheats; and for ſecuring the Poſſeſſors of Lands already forfeited and ſettled, and further Diſcovery of ſuch forfeited Lands, and encouraging the ſettling thereof.

Act 99.

WHEREAS the Methods hitherto taken for collecting of your Majeſty's Quit-rents have proved ineffectual, many Perſons having found Means to evade or delay Payment of the ſame, to the great Prejudice of your Majeſty's Revenue, and in Violation of the Patents granted by your Majeſty, and your Royal Predeceſſors: For the Prevention of ſuch Practices for the future, and the Eaſe of the Inhabitants of this Iſland of ſome Part of the heavy Taxes they at preſent labour under, we your Majeſty's moſt dutiful and loyal Subjects, the Governor, Council, and Aſſembly of the Iſland of *Jamaica*, therefore moſt humbly beſeech your moſt Excellent Majeſty that it may be enacted, and it is hereby enacted and ordained by the Authority of the ſame, That all Owners of Land within this Iſland, their Guardians, Agents or Attornies, ſhall repair to the Town of St. *Jago de la Vega*, or *Kingston*, on or before the Twenty fifth Day of *March* next, and then and there account with the Receiver General, or his Deputy, for all ſuch Sum or Sums of Money as are or ſhall be due and payable for their Quit-rents, and pay the ſame; or, if exceeding Twenty Pounds, give Bond, and ſufficient Security to pay the ſame in Six Months after the making up of ſuch Accounts, with Intereſt at and after the Rate of Twelve Pounds *per Centum per Annum*; and all Perſons neglecting or refuſing to account with the Receiver General, or his Deputy, in the Manner aforeſaid, ſhall be chargeable and anſwerable for the ſame, with Intereſt at and after the Rate of Twelve Pounds *per Centum per Annum*, to commence from the paſſing of this Act; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Owners of Land, &c. to repair to St. *Jago de la Vega*, and there account with Receiver General for their Quit-rents due, &c.

II. And be it enacted and ordained by the Authority aforeſaid, That all Owners or Proprietors of Land within this Iſland, their Guardians, Agents, or Attornies, who for the future ſhall neglect or refuſe to account with the Receiver General, or his Deputy, for their reſpective Quit-rents, to accrue and become due after the paſſing of this Act, within every Three Years, and pay the ſame; or, if exceeding the Sum of Twenty Pounds, give Bond to pay the ſame within Six Months after; every ſuch Owner or Proprietor ſhall be chargeable

Clauſe againſt Perſons neglecting ſo to do, &c. within every 3 Years, &c.

1733. geable and anſwerable for the ſame, with Intereſt at and after the Rate of Twelve Pounds *per Centum per Annum*, to commence from the Time of the laſt Payment; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Recital of a former Quit-rent Act.

III. And whereas in and by an Act, entituled, *An Act for aſcertaining, eſtabliſhing, and more ſpeedy collecting her Majeſty's Quit-rents*, it is therein enacted and ordained, (amongſt other Things) That all Perſons that did not inhabit and reſide within this Iſland, and were poſſeſſed and held any Land or Lands within the ſame, and had not Effects whereon her Majeſty might diſtrain for the Quit-rents due for the ſame in this Iſland, every ſuch Perſon or Perſons were thereby required and obliged, by themſelves, Agent, or Attorney, within Eighteen Months after the Firſt Day of *February*, in the Year of our Lord One thouſand ſeven hundred and three, to account with the Receiver General for the Time being, or his Deputy, and pay all ſuch Sum or Sums of Money as ſhould be found due to her then Majeſty for Quit-rents, ſince the Feaſt of St. *Michael* the Arch-angel, in the Year One thouſand ſix hundred and ninety two, under the Penalty of forfeiting the ſaid Land or Lands; and in caſe at the Expiration of the ſaid Term of Eighteen Months, after the ſaid Firſt Day of *February*, in the ſaid Year One thouſand ſeven hundred and three, the ſaid Owner or Poſſeſſor did not, by himſelf, Agent, Attorney, or other Perſon, account and pay, as by that Act was required, that then the Provoſt-marſhal General of this Iſland, or his Deputy, were thereby authorized and required to make Proclamation of the ſame in the Supreme Court of Judicature, held at the Town of St. *Jago de la Vega*, the two next Courts after ſuch Failure and Forfeiture, and Judgment ſhould be affirmed to her Majeſty, her Heirs and Succeſſors, and the Provoſt-marſhal, or his Deputy, were thereby required and impowered to ſeize the ſame accordingly; and from thenceforth the ſaid Land or Lands, as aforeſaid, were to be veſted in our late Sovereign Lady the Queen, her Heirs, and Succeſſors, and were to be a perpetual Bar againſt any former Patent, Grant, or Claim whatſoever; and that then it ſhould and might be lawful for the Governor, or Commander in Chief of this Iſland for the Time being, by Letters Patent under the Broad Seal of this Iſland, to grant the ſaid forfeited Land or Lands to any Perſon or Perſons whatſoever; any Law, Cuſtom or Uſage to the contrary notwithſtanding. And whereas ſeveral Difficulties have ariſen touching the Time of making Proclamations againſt the Lands, or Perſons forfeiting ſuch Lands, in regard the ſame is directed to be made the two next Courts after ſuch Failure and Forfeiture by the ſaid two above recited Clauſes, and through the Neglect of the Provoſt-marſhals the ſame have not been done; and ſome Perſons who have obtained Grants of ſuch forfeited Lands, Proclamations not having been made the two next enſuing Courts after the Forfeiture accrued, are and remain in Doubt of their Title: For the preventing of all ſuch Inconveniencies, and to encourage the further ſettling of this Iſland, be it further enacted by the Authority aforeſaid, That all and every Grant and Grants already paſſed of ſuch forfeited Lands, againſt which Proclamations have been made, and Judgments thereon affirmed, be, and are hereby made good and effectual, to all Intents and Purpoſes, as fully as if Proclamations had been made and done the two next enſuing Courts after the ſaid Firſt Day of *February*, which was in the Year of our Lord One thouſand ſeven hundred and three.

All Grants of ſuch forfeited Lands, againſt which Proclamations have been made, &c. made good.

IV. And the more effectually to diſcover all ſuch forfeited Lands for the future, and in order to encourage the ſettling of the ſame, be it further enacted by the Authority aforeſaid, That any Perſon or Perſons who ſhall hereafter diſcover to the Governor, his Majeſty's Attorney General, or the Provoſt-marſhal General for the Time being, any Tract or Tracts of ſuch Lands of Abſentees as aforeſaid, for which Quit-rents have not as yet been paid; and ſuch Perſon or Perſons ſhall offer to pay, and actually pay the ſame, and give in Security in the Receiver General's Office to ſettle the ſaid Lands ſo intended to be granted, by falling and planting yearly ſome Part thereof, and that at leaſt Five Acres of Ground yearly, during the Space of Three Years, and putting and keeping thereon a ſufficient Number of white People, in Proportion to the Number of Negroes put thereon; and that according to the Deficiency Act, every ſuch Perſon and Perſons

Clauſe to encourage Perſons to make Diſcovery of ſuch Lands for which Quit-rents have not been paid, &c.

are

are and ſhall be, and are hereby intitled to the Preference, and to an actual Grant of ſuch Tract or Tracts of Land from and after Judgment ſhall or may be affirmed to his Majeſty, his Heirs or Succeſſors, which it is hereby enacted ſhall and may be done in any Two enſuing Courts after ſuch Information, ſuch Perſon or Perſons paying for every One hundred Acres Ten Shillings, and no more, to the Governor or Commander in Chief, together with the uſual Fees directed in and by an Act, entituled, *An Act for regulating Fees*; any Law, Cuſtom, or Uſage to the contrary notwithſtanding: And in caſe any Perſon ſhall neglect or omit doing his Duty herein, he ſhall forfeit the Sum of Fifty Pounds. 1733.

V. And be it further enacted by the Authority aforeſaid, That every Parcel of Land hereafter to be eſcheated, after Office found for his Majeſty, his Heirs and Succeſſors, ſhall be cried out in the laſt Proprietor's Name, three Times every ſecond *Tueſday* of the Grand Court or Term, during the ſitting of the ſaid Court, for three Courts or Terms ſucceſſively, before Judgment paſs for the King; and that no Patent for any Land hereafter to be eſcheated ſhall be granted otherwiſe; and if any ſuch ſhall be hereafter granted in any other Manner than as aforeſaid, every ſuch Grant or Patent ſhall be deemed illegal, null, and void; any thing in this, or in any other Act, Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding. Land eſcheated after Office found, to be cried out three Times in every Grand Court, for 3 Courts ſucceſſively, before Judgment paſs for the King.

VI. And be it further enacted by the Authority aforeſaid, That upon all Eſcheats hereafter to be granted for any Land, the Jury that ſhall value the ſame ſhall conſiſt of ſuch Perſons who ſhall have a Freehold of the Value of Ten Pounds *per Annum* at leaſt, in the Pariſh where the Land to be eſcheated is, who are hereby obliged to do it on Oath, according to the real Value thereof, to the beſt of their Judgments, at the Time of ſuch Valuation; one third Part of which Value to be allowed the Grantee or Patentee, towards the defraying the Charges he ſhall be at in obtaining the ſaid Land. Eſcheats hereafter to be granted, the Jury to value the ſame upon Oath, according to its real Value, at the Time of ſuch Valuation.

VII. And whereas ſeveral Perſons have complained of the Loſs of their Receipts for Quit-rents paid, and they not finding due Credit given for ſuch Payments in the Quit-rent Books, have been obliged to pay the ſame over again: For the preventing the like Inconveniencies for the future, and in order that a proper Check be on the Quit-rent Books, be it enacted by the Authority aforeſaid, That the Secretary of this Iſland do immediately find and provide a proper well bound Book, for the copying all Receipts for Quit-rents to be paid, for each reſpective Pariſh; and that the ſaid Secretary be, and is hereby obliged and required to enter ſuch Receipts, under the Penalty of Ten Pounds for every Neglect or Refuſal; and that for his recording ſuch Receipts in the ſaid Book, he ſhall receive from the Perſon that applies for recording the ſame, One Shilling and Three-Pence each, and no more; and every Perſon or Perſons paying Quit-rents, are hereby obliged to offer their reſpective Receipts to be recorded in one Month after the Date of ſuch Receipts reſpectively, under the Penalty of Ten Pounds for every ſuch Neglect or Refuſal. Secretary to provide Books for recording Receiptstaken for Quit-rents paid,

VIII. And be it further enacted by the Authority aforeſaid, That the ſaid Secretary be, and is hereby obliged to ſend to the Governor, Council, or Aſſembly an Account of all Receipts entered in his Office as aforeſaid, whenever they ſhall reſpectively think proper to demand it, under the Penalty of Ten Pounds for every ſuch Neglect or Refuſal; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. and ſend an Account of ſuch Receipts recorded, to the Governor, &c.

IX. And whereas many Frauds and Abuſes have been committed in receiving and collecting of his Majeſty's Fines, Forfeitures, and Amerciaments; be it enacted and ordained by the Authority aforeſaid, That the Provoſt-marſhal, his Deputy and Deputies, the Clerk of the Grand Court, and the Clerks of the Quarter-ſeſſions and Courts of Common-Pleas in the ſeveral Pariſhes within this Iſland ſhall, within Six Months after the paſſing of this Act, tranſmit an Account of all Fines, Forfeitures, and Amerciaments within their ſeveral and reſpective Offices, for Thirty Years laſt paſt, to the Receiver General, or his Deputy, and pay all Sum or Sums of Money as they have reſpectively received and not accounted for, under the Penalty of One hundred Pounds. An Account of all Finesfor 30 Years paſt, to be tranſmitted to Receiver General,

X. And

1733. X. And be it further enacted and ordained by the Authority aforeſaid, That an Account of all Fines, Forfeitures, and Amerciaments which are now due and uncollected, ſhall be entered in the Receiver General's Books, and the ſeveral and reſpective Perſons charged with the ſame.

and all uncollected Fines to be entered in his Book;

XI. And be it enacted and ordained by the Authority aforeſaid, That for the future the Provoſt-marſhal, his Deputy and Deputies, the Clerk of the Grand Court, the Clerks of the Quarter-ſeſſions and Courts of Common-Pleas in the ſeveral Pariſhes within this Iſland, ſhall, from Time to Time, within ten Days after the Adjournment of the ſeveral and reſpective Courts, tranſmit an Account of all Fines, Forfeitures, and Amerciaments to the Receiver General, or his Deputy; which Accounts ſhall be immediately entered in the Receiver General's Books, and the ſeveral and reſpective Perſons charged with the ſame.

and alſo all future Fines.

All Fines to be paid to Receiver General.

XII. And be it enacted and ordained by the Authority aforeſaid, That for the future all Fines, Forfeitures, and Amerciaments ſhall be paid into the Hands of the Receiver General, or his Deputy; and that no other Perſon or Perſons preſume to receive or diſcharge the ſame, or any Part of them, or any other Publick Money, not otherwiſe particularly directed by any Act, as to the Payment thereof, under the Penalty of Five hundred Pounds; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

This Clauſe repealed by Act 122.

Forfeitures how to be diſpoſed of.

XIII. And be it further enacted and ordained by the Authority aforeſaid, That all Penalties in this Act mentioned, and not declared how they ſhall be diſpoſed of, or where recovered, ſhall be one Half to his Majeſty, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Half to the Informer, or him or them who ſhall ſue for the ſame; to be recovered in the Supreme Court of Judicature of this Iſland, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed, or *Non vult ulterius proſequi* entered; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Every Pariſh to have a Copy of this Act.

XIV. And be it further enacted by the Authority aforeſaid, That the Secretary of this Iſland do forthwith make out a Copy of this Act for each of the Pariſhes in this Iſland, and tranſmit the ſame to the *Cuſtos*, or next Magiſtrate of each Pariſh; for each of which Copies he ſhall receive from the Receiver General the Sum of Fifteen Shillings out of any Money in his Hands; and that this Act ſhall be read in each Quarter-ſeſſions of the Peace within this Iſland; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

An Act for running, cutting, and clearing the dividing Lines; and cutting of Roads in and between the Pariſhes of Weſtmoreland *and* Hanover; *and for repairing a Bridge over* Cabaritta River *in the ſaid Pariſh of* Weſtmoreland.

Act 100. WHEREAS it will greatly tend to the Eaſe and Security of the Inhabitants of the Pariſhes of *Weſtmoreland* and *Hanover*, that the dividing Lines between the ſaid Pariſhes be run, cut, and cleared, and laid out in the directeſt Manner that can be, from *Savanna la Mar* in the Pariſh of *Weſtmoreland*, to *Orange Bay* in the Pariſh of *Hanover*: And in order to keep up a Communication between the ſaid Pariſhes, in caſe of any Danger, may it pleaſe your moſt Excellent Majeſty that it may be enacted; be it therefore enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland, and it is hereby enacted by the Authority of the ſame, That the dividing Lines or Bounds be run, laid out, and aſcertained between the ſaid Pariſhes; and the Juſtices and Veſtry of each Pariſh are hereby required and impowered to employ a Surveyor or Surveyors for that Purpoſe, under the Penalty of Fifty Pounds on each Juſtice and Veſtryman refuſing or neglecting his Duty therein; and the Surveyor or Surveyors ſo employed are to be paid out of the Pariſh Stock of each Pariſh reſpectively.

The dividing Lines between the two Pariſhes to be aſcertained,

and a Road cut, &c.

II. And be it further enacted by the Authority aforeſaid, That a Publick Road be cut and laid out from *Savanna la Mar* in the Pariſh of *Weſtmoreland*, in the directeſt

directeſt Manner that can be, through the Land of *Richard Dunn*, and *John Hynes*, Eſquires, called *Paradice*, on the Eaſt and Weſt Sides of *Cabaritta River*, and from the Land of the ſaid *John Hynes*, through the Plantation of *William Dorrill*, Eſquire, called *Egypt*, in the directeſt Manner poſſible, to the Road to *Negrill*, by the Plantation of the ſaid *John Hynes*, called *The Retrieve*, and from thence through the Plantation of Meſſieurs *Gale* and *Downer*, to the Bounds of the Pariſh of *Weſtmoreland*, and from the ſaid Bounds of the Pariſh of *Weſtmoreland*, by the Pariſh of *Hanover*, to the Plantation of *James* and *John Campbell*, Eſquires, at *Orange Bay*, in the ſaid Pariſh of *Hanover*. 1733.

Juſtices to allot Negroes, &c.

III. AND be it enacted by the Authority aforeſaid, That the Juſtices and Veſtry of each of the ſaid Pariſhes be, and they are hereby impowered and required to allot Negroes for cutting and clearing the ſaid Roads, on or before the firſt Day of *December* next, on the Penalty of Fifty Pounds, to be forfeited by each Juſtice and Veſtryman refuſing or neglecting his Duty herein.

The Bridge over *Cabaritta River* to be rebuilt, &c. by *Weſtmoreland* Pariſh.

IV. AND be it further enacted by the Authority aforeſaid, That the Pariſh of *Weſtmoreland* be obliged and required to rebuild and repair the Bridge over *Cabaritta River*, between the aforeſaid Lands of *Richard Dunn* and *John Hynes*; and the Juſtices and Veſtry of the ſaid Pariſh are hereby required to raiſe Money in the ſame Manner the Pariſh Tax is uſually raiſed, for rebuilding, repairing, and keeping the ſaid Bridge from Time to Time in Repair, on the Penalty of Fifty Pounds, to be forfeited by each Juſtice and Veſtryman neglecting his Duty herein.

Penalties how to be recovered and diſpoſed of.

V. AND be it further enacted by the Authority aforeſaid, That the Penalties in this Act mentioned, ſhall be recovered in his Majeſty's Supreme Court of Judicature in this Iſland, by Action of Debt, Bill, Plaint, or Information, wherein no Injunction, Protection, or Imparlance ſhall be granted or allowed; one Half of which ſhall be to his Majeſty, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; the other to him or them who ſhall inform or ſue for the ſame; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

An Act for dividing this Iſland into two Diviſions, to be for ever hereafter known and deſcribed by the Names of the Eaſtern *and* Weſtern Diviſions, *for erecting and building Barracks in the ſaid* Weſtward Diviſion, *cutting and clearing Roads therein, and for raiſing and fitting out Parties, for the more ſpeedy and effectual ſuppreſſing the rebellious and runaway Negroes.*

ACT 101.

WHEREAS the rebellious and runaway Negroes have, within few Years paſt, greatly increaſed, notwithſtanding all the Meaſures hitherto concerted and made uſe of for their Suppreſſion, and more eſpecially are become very formidable in the North-eaſt, North-weſt, and South-weſt Parts of this Iſland, to the great Terror of his Majeſty's Subjects in thoſe Parts, who have greatly ſuffered by the frequent Robberies, Murders, and Depredations committed by them: And whereas this Iſland is of great Extent in Length, and it having been found very inconvenient and prejudicial for the Inhabitants of the Weſtern Parts to be obliged to ſend Aſſiſtants of White and Black Shot and Baggage Negroes to the Eaſtern Parts, as it muſt alſo be to thoſe of the Eaſtern in like Manner to ſend to the Weſtern Parts; it is to be feared, without ſome timely Remedies and Precautions, from the great Number of Slaves lately run away, and joined with thoſe in Rebellion, the Weſtern Parts of the Iſland will ſoon become the Seat of an Inteſtine War, as well as the Eaſtern: For Remedy whereof, we, your Majeſty's moſt dutiful and loyal Subjects, the Governor, Council, and Aſſembly of this your Iſland of *Jamaica*, humbly beſeech your Majeſty that it may be enacted; be it therefore enacted by the Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That from henceforth, and for ever hereafter, this Iſland ſhall be divided into two diſtinct

1733. and ſeparate Diviſions, to be known and deſcribed by the Names of the *Eaſtern* and *Weſtern Diviſions*; the *Eaſtern Diviſion* to contain the Pariſhes of St. *Thomas in the Eaſt*, *Portland*, St. *David*, St. *George*, St. *Andrew*, St. *Mary*, *Kingſton*, *Port Royal*, St. *Catharine*, St. *Thomas in the Vale*, St. *John*, and St. *Dorothy*; and the *Weſtern Diviſion* to conſiſt of the Pariſhes of *Clarendon*, *Vere*, St. *Anne*, St. *Elizabeth*, *Weſtmoreland*, *Hanover*, and St. *James*.

The Iſland to be divided into two Diviſions, and called the *Eaſtern* and *Weſtern Diviſions*.

II. And whereas the rebellious Slaves in the Pariſhes of *Clarendon*, St. *Anne*, St. *Elizabeth*, *Weſtmoreland*, *Hanover*, and St. *James*, have greatly increaſed in Numbers, and have conſiderable Settlements in the Mountains and leaſt acceſſable Parts in the ſaid Pariſhes, particularly near the Heads of *Great River* and *Black River*, in the Pariſhes of *Weſtmoreland* and St. *Elizabeth*, and to the Northward of *One Eye*, in the ſaid laſt mentioned Pariſh, as well as betwixt *Clarendon* and St. *Anne*, who commit frequent Robberies and Murders in the ſaid Pariſhes, and have occaſioned ſeveral Settlements to be abandoned and thrown up by the Owners and Poſſeſſors; and thereby hinders, obſtructs, and prevents vaſt Tracts of valuable Land from being ſettled and cultivated in the ſaid ſeveral Pariſhes, to the great Prejudice and Diminution of his Majeſty's Revenue in *Great Britain*, as well as the Trade, Navigation, and Conſumption of the *Britiſh* Manufactures in this Iſland, and to the manifeſt weakening and preventing the further Increaſe of Strength and Inhabitants therein: And whereas the fitting out flying and other Parties, have for many Years proved unſucceſsful and inſufficient to anſwer the Ends propoſed, from the Length and Difficulty of the Marches they have been obliged to take, the Difficulties of ſubſiſting them in the Woods for ſo long Time as the Service required, and many other Accidents: And whereas nothing can tend and contribute ſo expeditiouſly to the diſtreſſing, ſtraitening, and ſuppreſſing the ſaid rebellious Slaves, as erecting and building ſtrong defenſible Houſes and Barracks, ſufficiently manned, as near their Settlements as poſſible, that at convenient Seaſons and Opportunities they may make Excurſions on them, and attack them to the beſt Advantage, and in their Marches root up, burn, and deſtroy their Proviſions: Be it therefore further enacted by the Authority aforeſaid, That the Juſtices and Veſtry of the above mentioned Pariſhes in the *Weſtern Diviſion* of this Iſland be, and they are hereby obliged and required to meet the firſt *Monday* in *December* next, or within ten Days after, to raiſe, levy, and allot, on the ſeveral Settlers and Inhabitants of the ſaid Pariſhes reſpectively, a Number of White and Black Shot and Baggage Negroes, as well as Pioneer or Labouring Negroes, for building and erecting Barracks, and cutting of Roads, as herein after ſhall be directed to be raiſed, levied, and allotted, in Proportion to each Perſon's Number of Negroes he hath or may be poſſeſſed of on the ſaid Day.

Juſtices in the *Weſtern Diviſion* to levy on the Inhabitants what Number of Negroes they are to ſend for erecting of Barracks, &c.

How Perſons refuſing to give an Account of their Negroes are to be aſſeſſed, &c.

III. And all Perſons refuſing or neglecting to give an Account, as aforeſaid, ſhall be aſſeſſed by the Juſtices and Veſtry one fourth Part more than the Number given in the laſt Aſſeſſment of the Deficiency in each Pariſh reſpectively, as aforeſaid (that is to ſay) one White or Black Shot for every two hundred Negroes, and ſo in Proportion for a greater or leſſer Number of Negroes each Perſon is or ſhall be poſſeſſed in each of the ſaid Pariſhes reſpectively, Two Thirds of which Shot ſo to be raiſed and allotted, at the leaſt, to be white Men; which ſaid White and Black Shot, ſo choſen and allotted, ſhall be ſent to ſuch Place of Rendezvous, as his Excellency the Governor, or the Commander in Chief for the Time being, or the Commiſſioners herein after named by his Authority, ſhall direct, within fifteen Days after ſuch Allotment, with a good Muſket or Fuſee, a good Cutlaſh or Muſcheat, together with two Pounds of Powder, and ſix Pounds of Ball; and every White Shot with a Pair of good ſtrong Shoes, Oſnabrig Frock and Trowzers, and a Felt Hat; and every Black Shot with ſuch Frock and Trowzers; and every Perſon refuſing or neglecting to ſend ſuch White or Black Shot in ſuch Manner accoutered as he ſhall be ſo allotted, ſhall for every ſuch Offence forfeit the Sum of Twenty Pounds; to be recovered in a ſummary Way, before any Two of the Commiſſioners herein after named for the reſpective Diſtrict where ſuch Offence ſhall be committed, who are reſpectively hereby impowered and required to try, hear, and determine all ſuch Offences.

Negroes, &c. how to be armed.

IV. And

1733.

IV. AND alſo that the ſaid Juſtices and Veſtry in each of the ſaid Pariſhes reſpectively, ſhall at the ſame Time raiſe and allot ſuch a Number of Baggage Negroes, as ſhall be neceſſary, in Proportion to each Perſon's Number of Slaves, and in the moſt equitable Manner; and alſo raiſe, levy, and allot, in the like Manner and Proportion, one Pioneer or labouring Negroe for every two hundred Slaves, and ſo in Proportion for a greater or ſmaller Number of Negroes each Perſon is or ſhall be poſſeſſed of in each of the ſaid Pariſhes reſpectively, for the cutting and clearing the Roads, erecting and building Barracks, and other Services, as herein after by this Act are nominated and directed, under the like Penalties and Manner of Recovery for every Offence, as is inflicted on Perſons refuſing or neglecting to ſend White or Black Shot when allotted, as aforeſaid.

A Number of Baggage Negroes, &c. to be appointed for clearing the Roads, &c.

V. AND be it further enacted by the Authority aforeſaid, That every Black Shot, Baggage Negroe, and Pioneer or Labouring Negroe, raiſed by virtue of this Act, ſhall be, within ten Days after the Allotment, produced before the Juſtices and Veſtry of each Pariſh, and by them be approved of to be able and proper Slaves for the intended Service; and in caſe of Objection, the Maſter, Owner, Manager, or Overſeer, ſhall be obliged to bring another fit and able Negroe, to be approved of as aforeſaid; and the ſaid Juſtices and Veſtry are hereby obliged and required to value every of the ſaid Negroes ſo to be raiſed, that in caſe of any being killed, dying, or being maimed in the Service, the Maſter, Owner, or Proprietor, Agent, or Attorney, may be paid the Value of every Negroe being ſo killed, dead, or maimed in the Service, on producing a Certificate of the Valuation of the ſaid Negroe, and alſo of the Death or Maiming of the ſaid Negroe; which Valuation ſhall be paid by the Receiver General out of any Money applied to the Uſe of Parties; and in caſe of none being ready, ſuch Certificate ſhall bear an Intereſt of ten Pounds *per Cent. per Annum*, from the Death, killing, or maiming of every ſuch Negroe; provided the Maſter, Owner, or Manager, Agent, or Attorney of the Perſon whoſe Negroe ſhall be ſo killed, die, or be maimed, do, and ſhall, within ten Days after Notice from any of the Commiſſioners, ſend another fit and able Negroe in the Room and Stead of ſuch, to be approved and valued as aforeſaid; Certificates of which ſhall be produced to the Receiver General, on the tendering the Two afore-mentioned, and demanding Payment.

Every Baggage Negroe, &c. to be viewed and valued, &c.

VI. AND whereas ſeveral Inhabitants and Planters in the afore mentioned Pariſhes have a ſmaller, and many a greater Number of Slaves than Two hundred, or ſuch Proportion as will be neceſſary to raiſe one Black or White Shot, Baggage, or Pioneer Negroe; for preventing any Hardſhips or Diſputes that may thereupon ariſe, be it further enacted by the Authority aforeſaid, That in every ſuch Caſe the Juſtices and Veſtry do join ſuch and ſo many Inhabitants together as ſhall make up the Number, out of which any Shot, Baggage, or Pioneer Negroe is to be raiſed, and allot any one of ſuch Number to ſend the ſame, who is hereby obliged ſo to do, under the afore-mentioned Penalties; and the others ſo joined and exempted to pay ſuch Proportion of Hire to the Perſon allotted to ſend, as the Juſtices and Veſtry ſhall aſſeſs, which ſhall be paid; and in caſe of Refuſal, on Complaint to any Juſtice, ſuch Juſtice is hereby impowered and required to grant a Warrant of Diſtreſs for levying the ſame.

Clauſe for Relief of Planters who have a greater or ſmaller Number of Negroes than 200.

VII. AND be it further enacted by the Authority aforeſaid, That one ſtrong defenſible Houſe or Barrack, either of Stone or Timber, with two or more Baſtions, be built and erected at or near the Head of *Great River*, and in ſuch convenient and proper Place, as the Commiſſioners herein after named for the Pariſh of *Weſtmoreland* ſhall direct; which defenſible Houſe ſhall be built by the Negroes raiſed and allotted for that Purpoſe by the Pariſhes of *Weſtmoreland* and *Hanover*.

A ſtrong Barrack to be built at the Head of *Great River*;

VIII. AND be it further enacted by the Authority aforeſaid, That one ſuch other defenſible Houſe or Barrack ſhall be erected and built in like Manner, about ten Miles to the Northward of *Barbadoes Valley*, or as near that Diſtance as it can conveniently be raiſed, in reſpect to Water in the ſaid Pariſh of St. *Elizabeth*, by the Negroes raiſed and allotted for that Purpoſe out of the Pariſhes of St. *Elizabeth* and St *James*.

and another 10 Miles Northward of *Barbadoes Valley*;

IX. AND

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IX. And one other defenſible Houſe or Barrack in like Manner, in the Centre between *Cargill*'s Plantation in the Pariſh of *Clarendon*, and *Drax*'s Crawl in the Pariſh of St. *Ann*, or in ſuch Place as the Commiſſioners for the ſaid Pariſhes ſhall direct; to be erected and built by the Negroes raiſed and allotted for that Purpoſe out of the Pariſhes of *Clarendon*, *Vere*, and St. *Anne*.

and one more between *Cargil*'s Plantation and *Drax*'s Crawl.

X. And for the more ſpeedy erecting and building the ſaid defenſible Houſes or Barracks, be it further enacted by the Authority aforeſaid, That the Commiſſioners herein after named, for ordering and directing the building the ſaid defenſible Houſes, or the Majority for each, be, and they are hereby impowered to hire ſuch Sawyers, Carpenters, Maſons, and Bricklayers, as ſhall be neceſſary for the building and erecting the ſaid Barracks or defenſible Houſes in the Time and Manner herein after directed and appointed; at the Expence of the Pariſhes, and in Proportion to the Number of Negroes in each, and to be paid by the Churchwardens of each Pariſh reſpectively; the ſaid Commiſſioners giving Certificates to the ſaid Workmen, their Owners, Maſters, or Employers, for the true Value of the Work by them done; and in caſe no Workmen can be hired voluntarily, then the ſaid Commiſſioners be, and they are hereby impowered to impreſs ſuch Workmen as ſhall be neceſſary, who ſhall be paid as herein before directed.

Commiſſioners to hire the Artificers for building the ſaid ſtrong Barracks, &c.

XI. And be it further enacted by the Authority aforeſaid, That the Parties of White and Black Shot herein before appointed to be raiſed, ſhall be, and they are hereby obliged and required to guard and protect the Negroes whilſt cutting and clearing the ſaid Road, and the Workmen whilſt building the Barracks; and alſo the Negroes, who ſhall cut the ſaid Roads, be directed and obliged by the Commiſſioners, to fall, clear, and plant in Proviſions, five Acres of Ground at leaſt round each Barrack, and alſo fall Timber, burn Lime, get Stone, and other Materials for building the ſaid Barracks or defenſible Houſes; and ſhall do all other Things requiſite and neceſſary, which the ſaid Commiſſioners are hereby obliged and required to direct.

The Duty of the White and Black Shot Parties.

XII. And be it further enacted by the Authority aforeſaid, That the Land on which every of the ſaid Barracks ſhall be built, and Two thouſand Acres adjacent and round each Barrack, not being within three Miles of any Settlement whereon a white Man is reſident, ſhall be, and the ſame is hereby veſted in his Majeſty, his Heirs and Succeſſors, any former Grant or Patent thereof, or any Part thereof, to the contrary notwithſtanding; to the Intent the ſame may be regranted by the Governor, or Commander in Chief for the Time being, to any Perſon or Perſons who ſhall, within ſix Months after the Date of his Patent, go upon, begin, and continue a Settlement, with one white Man and ten Negroes at the leaſt; and every Perſon to whom any ſuch Grant ſhall be made, ſhall be obliged to give Security in the Secretary's Office for that Purpoſe: Provided nevertheleſs, That there ſhall not be above One hundred Acres granted to any one Perſon.

The Barracks, and 2000 Acres round them, veſted in his Majeſty, &c.

Proviſo.

XIII. Provided alſo, and be it further enacted, That every Perſon, whoſe Land ſhall be ſo taken up or reſumed, in order to be regranted as aforeſaid, ſhall be paid by the Pariſhes that have joined in the building the Barrack or defenſible Houſe, five Shillings *per* Acre, on his, her, or their Agent's or Attorney's producing a Certificate, that the Quit-rents thereof due and owing to his Majeſty to the Time of ſuch Reſumption or Regranting thereof have been duly paid to his Majeſty's Receiver General.

XIV. And be it further enacted by the Authority aforeſaid, That the Commiſſioners herein after named, and the Majority of them, for directing the building each Barrack, ſhall, on or before the Twentieth Day of *December* next enſuing, order and direct the Parties raiſed as aforeſaid, and the Baggage Negroes, together with the Pioneer or Labouring Negroes of *Weſtmoreland* and *Hanover*, to cut and clear one Road from *Surranam Quarters*, in the Pariſh of *Weſtmoreland*, at leaſt ſixty Feet wide, to the Head of *Great River* in the Pariſh of *Weſtmoreland*, or Place where the ſaid ſtrong defenſible Houſe ſhall be built; and alſo one other Road from *Dean*'s *Valley*, in the ſaid Pariſh of *Weſtmoreland*, thereto.

Commiſſioners to order two Roads to be cut and cleared,

XV. And then to ſet about to clear Ground, fall and get Timber, Stone, Lime, and other Materials for building and erecting the ſaid Barracks, and to compleat

and the Ground to be cleared, &c. for erecting the Barracks,

compleat all other Works directed by this Act; and not to return or quit the ſame till done, or without Licence from Two of the ſaid Commiſſioners, under the Penalty of Twenty Pounds on every Maſter, Miſtreſs, Manager, or Overſeer, who ſhall receive, detain, or conceal his, her, or their Negroe or Negroes. 1733.

and another Road to be cut 60 Feet wide, &c.

XVI. AND the ſaid Pioneer or Labouring Negroes, from St. *Elizabeth* and St. *James*'s, to cut and clear a Road, at leaſt ſixty Feet wide, from *Barbadoes Valley* in St. *Elizabeth*'s, as near northerly as poſſible to the Sea, in St. *James*'s, and from the ſaid main Road to the ſaid defenſible Houſe or Barrack, for the Pariſhes of St. *Elizabeth* and St. *James*; and alſo the Pioneer Negroes from *Clarendon*, *Vere*, and St. *Anne*'s, to cut, open, and keep clear the Road from *Clarendon* to St. *Anne*'s, and from the ſaid Road to the Place appointed for erecting the defenſible Houſe or Barrack for the ſaid Pariſhes.

and to appoint an Overſeer.

XVII. AND be it further enacted by the Authority aforeſaid, That the Commiſſioners, or the major Part of them for each Pariſh reſpectively, be, and they are hereby impowered and required to hire an Overſeer to look after the Negroes to be employed in the afore mentioned Services, and to ſee the Work performed and compleated, as directed by this Act; which Overſeers ſhall be paid by each Pariſh reſpectively, not exceeding Eight Pounds *per* Month.

How the Monies are to be raiſed.

XVIII. AND to enable ſuch Pariſh to raiſe the ſaid Money, or any other Sums directed by this Act, be it further enacted by the Authority aforeſaid, That the Juſtices and Veſtry of each Pariſh reſpectively be, and they are hereby impowered and required to meet on or before the firſt Day of *January* next, and at ſuch other Times as it ſhall be neceſſary, to aſſeſs, levy, and raiſe, in like Manner as the Pariſh Tax, ſo much and ſuch Sums of Money, as ſhall be neceſſary to anſwer the Charges of the Services directed and intended by this Act; which Money to be raiſed, ſhall be paid over by the Church-wardens to the Commiſſioners herein after appointed.

Negroes to take Poſt in the Barracks, as ſoon as they are built, &c.

XIX. AND be it further enacted by the Authority aforeſaid, That the Parties of White and Black Shot and Baggage Negroes, directed to be raiſed by this Act, ſhall be, and they are hereby obliged and required, ſo ſoon as the ſeveral and reſpective Barracks be built, to take Poſt therein; and from thence, on all Commands of his Excellency the Governor, or Commander in Chief for the Time being, or by his Authority, by the Commiſſioners, or Commanding-Officer in each Pariſh where ſuch Barracks ſhall be built, to march after, attack, purſue, and deſtroy all runaway and rebellious Negroes, and root up, burn, and deſtroy all Kinds of Proviſions they ſhall meet with.

and to be trained, &c. in the Military Art, &c.

XX. AND be it further enacted by the Authority aforeſaid, That his Excellency the Governor, or the Commander in Chief for the Time being, be deſired, and he is hereby impowered to grant Commiſſions to ſuch Officers, and ſo many, as he ſhall judge proper and neceſſary for commanding, conducting, and training in the Military Art, and exerciſe the Parties of White and Black Shot, directed to be raiſed by virtue of this Act; each Captain to have Ten Pounds, each Lieutenant Five Pounds, and each Serjeant Three Pounds, for each Kalendar Month, to be paid by the Commiſſioners out of the Money to be raiſed in the reſpective Pariſhes aforeſaid, and paid over by the Church-wardens, as herein directed; which Officers ſhall be, and they are hereby obliged and required duly to train, exerciſe, and diſcipline the Parties under their Command; to read the Rules and Articles of War, and the Encouragements, together with the Penalties inflicted by this Act, to them once every Month, under the Penalty of being tried and puniſhed by a Court-marſhal for every Neglect or Offence.

Proviſo.

XXI. PROVIDED, the Captain or Lieutenant ſo to be commiſſioned or appointed, ſhall not be a Servant, hired, or indented; but if any ſuch be appointed, he ſhall not be intitled to any Pay whatſoever.

Upon any Emergency, Governor may unite the Parties of the three Barracks, &c.

XXII. AND whereas the Rebels may unite a conſiderable Part of their Strength, or gather in a formidable Body in any one Place, where it may become difficult, dangerous, and even impracticable, for any one Party to attack them; be it therefore further enacted by the Authority aforeſaid, That in every ſuch Caſe, or any other Emergency, that his Excellency the Governor, or Commander in Chief

1733. for the Time being, ſhall judge proper to order all, or ſo many of the Parties in the three Barracks ſo to be built as aforeſaid, to unite and join; and his Excellency the Governor, or Commander in Chief for the Time being, is hereby impowered, on any ſuch Occaſion, to order and direct to be united and joined ſuch Number as he ſhall judge proper, to march, and attack the Rebels at any of their Settlements, or to defend any Place that may be in Danger in the ſaid Diſtrict or *Weſtern Diviſion*; and the ſaid Party, Officers, and Private Men are hereby obliged and required to follow ſuch Orders, Directions, and Inſtructions, as his Excellency the Governor, or Commander in Chief for the Time being, ſhall think proper to give, on the Penalty of being tried and puniſhed by a Court-marſhal for every Breach of their Orders or Duty, or Non-compliance with ſuch Orders, Directions, and Inſtructions as they ſhall receive.

Officers, &c. to be ſubject to the Articles of War, &c.

XXIII. And the ſaid Officers and Party-men, Whites and Blacks, as well as Baggage Negroes reſpectively, to be raiſed by virtue of this Act, from the Time of the Officers being commiſſioned, and Party-men and Baggage Negroes allotted for and during the Continuance of ſuch Parties, by virtue of this Act, are hereby declared to be ſubject and liable to the Rules and Articles of War eſtabliſhed to be in Force in this Iſland in the Time of the late Marſhal Law; which Articles and Rules of War are hereby enacted by the Authority aforeſaid, to be in Force for that Purpoſe, and all Offenders to be tried and puniſhed accordingly by a Court-marſhal, which ſhall conſiſt of Seven Commiſſion-Officers of the Militia at the leaſt, in which a Field-Officer ſhall preſide, and be aſſiſted with Two Captains at leaſt; but in Execution of any Sentence that ſhall extend to Life, ſhall be reſpited until his Excellency the Governor, or the Commander in Chief for the Time being's Orders and Directions be had thereon; and all Officers warned to ſuch Court-marſhal, ſhall duly attend, on Penalty of forfeiting Twenty Pounds, and being cenſured by a Court-marſhal for every ſuch Offence; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Negroes to be furniſhed with Proviſions by their Owners for 3 Months.

XXIV. And be it further enacted by the Authority aforeſaid, That the Parties ſo to be raiſed of White and Black Shot, Baggage, Pioneer or Labouring Negroes, ſhall be provided by their reſpective Owners with Proviſions and Neceſſaries, at the Time of going to the Place of Rendezvous, for the Space of Three Months at leaſt, and always Three Months Proviſions at the leaſt before-hand, under the Penalty of Twenty Pounds for every Offence; to be recovered from ſuch Owner, Truſtee, Attorney, Overſeer, or Manager, by Warrant from any Two of the ſaid Commiſſioners where ſuch Offence ſhall be committed, which ſaid Commiſſioners are hereby impowered and required to try, hear, and determine all ſuch Offences; and alſo all Owners of Pioneer or Labouring Negroes, to be raiſed by virtue of this Act, are hereby obliged and required to deliver every ſuch Negroe a good Falling-ax, one Hough, and one Bill, on the Penalty of Twenty Shillings for every Offence; to be recovered as the laſt before mentioned Penalty.

If ſick, to be ſent home, and others ſent in their Room.

XXV. And be it further enacted by the Authority aforeſaid, That if any white Man or Negro, ſent out in any of the Parties, as aforeſaid, ſhall happen to be ſick, or unable to perform the Service required, the Commanding-Officer of ſuch Party ſhall order him home to the Plantation or Settlement from whence he was ſent; and the Owner, or other Perſon in Truſt, ſhall, within Ten Days, ſend another able Man in his Room, under the Penalty of Twenty Pounds for every Neglect or Refuſal; to be recovered in a ſummary Way, before any Two of the ſaid Commiſſioners, in the ſame Manner as herein before by this Act is directed.

Parties to ſcour the Woods, &c.

XXVI. And be it further enacted by the Authority aforeſaid, That the Parties ſhall be obliged conſtantly to make Excurſions from their Barracks, ſcour the Woods, Mountains, Cockpits, and all ſuſpected Places round each Barrack; and when they go on ſuch Service, they are hereby obliged and required to carry from the Barrack at leaſt Twenty Days Proviſions, that they may not return without effecting the Service intended, and attacking the Rebels in their Settlements, in order to take, purſue, and deſtroy them; and wherever they meet with any Proviſions in the Haunts or Settlements of ſuch rebellious Slaves, to halt, till they entirely

entirely root up, burn, and deſtroy the ſame, before they march from any ſuch Place; and the ſaid Parties ſhall not come into any Settlement, or loiter away their Time therein, on any Pretence, but evident Neceſſity; and every Officer offending herein, ſhall for every ſuch Offence be tried and puniſhed by a Court-marſhal, as herein before directed. 1733.

Rewards to be given for Negroes killed or taken alive.

XXVII. And to encourage the ſaid reſpective Parties carefully to do their Duty, they ſhall reſpectively have and receive to themſelves Forty Pounds *per* Head for every rebellious Negro Man, and Twenty Pounds for every Woman they ſhall kill or take alive, and Ten Pounds for every one under the Age of Fourteen Years they ſhall kill or take alive; ſuch as ſhall be taken alive, except where it ſhall be judged neceſſary to execute them, as an Example and Terror to others, to be ſent and delivered to the Receiver-General by the Commiſſioners, and by him to be tranſported and ſold, for the Benefit of the Pariſh wherein ſuch Negroe or Negroes ſhall be taken; which ſaid Rewards ſhall, on Tender of proper Certificates, be paid by the Receiver-General out of any Fund or Funds already applied, or to be applied to the Uſe of Parties; and if none ready, or in the Receiver's Hands, to carry an Intereſt of Ten *per Cent.* from the Date to the Time of Payment; which Rewards ſhall be paid to the Commiſſioners, by them to be diſtributed and paid to ſuch Parties or Party-men, or to and amongſt ſuch reſpective Parties, in ſuch Proportion as the ſaid Commiſſioners ſhall think fitting, according to the Behaviour and Merit of each Perſon, and Mile-money, according to the Laws for every ſkulking or runaway Negroe they ſhall take up; to be paid by the Owner, if known, and if not known, by the Deputy-marſhal for the Precinct, who, if he finds no Owner, ſhall, in Ten Days, deliver him or her the Provoſt-marſhal, by him to be re-imburſed with Seven-Pence Half-penny *per* Day for his Maintenance, beſides all Charges.

In caſe of Neceſſity, free Negroes to join the Parties.

XXVIII. And alſo in caſe of Neceſſity, or any Emergency, to re-inforce any of the ſaid Parties; be it enacted by the Authority aforeſaid, That all free Mulattoes, free *Indians*, and free Negroes, in all or any of the before mentioned Pariſhes in the *Weſtern Diviſion* of this Iſland, be, and they are hereby obliged and required, on the Command and Summons of the Commanding-Officer of the Militia, or of any Two of the Commiſſioners by this Act appointed, to march out, accoutred with ſuch Arms and Ammunition as directed by this Act, and to join ſuch Party as they ſhall be ordered, on Penalty of being tried and puniſhed by a Court-marſhal, as herein before directed and appointed for every Offence againſt the true Intent and Meaning of this Act; which free Mulattoes, free *Indians*, and free Negroes, ſhall be ſubſiſted by the Pariſhes from which they are ſent, during their Continuance in the Service, according to the Direction of any Two of the Commiſſioners.

Every white Man ſent out, to paſs for a Deficiency.

XXIX. And be it further enacted by the Authority aforeſaid, That every white Man ſent out in any of the Parties, purſuant to this Act, ſhall paſs for a Deficiency in the Plantation or Settlement from whence he was ſent, during his Abſence; and in caſe of his Death, or being killed, ſhall continue to ſtand for a Deficiency for one whole Year from the ſaid Time, provided the Maſter or Owner ſends one other in his Room in Ten Days after Notice thereof, who ſhall alſo ſtand for a Deficiency for the like Time.

Commiſſioners Names.

XXX. And be it further enacted by the Authority aforeſaid, That the Honourable *Henry Dawkins*, Eſquire, and *Thomas Rodan*, *John Pennant*, *Thomas Fearon* junior, *John Cargill*, *Richard Hemings*, *Gerſham Ely*, and *Thomas Price*, Eſquires, are hereby appointed Commiſſioners for the ſaid Pariſhes; which ſaid Commiſſioners, or the major Part of them, ſhall direct the defenſible Houſe or Barrack for the Pariſhes of *Clarendon*, *Vere*, and St. *Anne*, as herein before directed, and fitting out and directing the Parties for the ſaid Pariſhes of *Clarendon*, *Vere*, and St. *Anne*; and that the Honourable *John Campbell*, Eſquire, *John Gale*, *Richard Nuſum*, *Iſaac Gale*, *Robert Saunders*, *Jonathan Barnitt*, *Humphry Mumbee*, *Hugh Kirkpatrick* junior, and *Samuel Barritt*, Eſquires, or the Majority of them, be Commiſſioners for building the Barrack, and fittting out and directing the Parties for St. *Elizabeth*'s and St. *James*'s; and that *John Hynes*, *Richard Haughton*, *James Campbell*, *John Guthrie*, *Henry Barham*, *George Goodwin*, and

James

1733. *James Witter*, Eſqs, or the Majority of them, be Commiſſioners, for building the Barrack at or near the Head of *Great River*, and fitting out and directing the Parties of *Weſtmoreland* and *Hanover*; and alſo that the ſaid Commiſſioners be, and they are hereby reſpectively obliged and required to order, direct, and perform all other the Duties and Services, according to the Direction, and true Intent and Meaning of this Act; and in caſe any Commiſſioner neglects his Duty therein, he ſhall for every Offence forfeit the Sum of One hundred Pounds, to be recovered in any Court of Record in this Iſland, by Bill, Plaint, or Information, wherein no Eſſoin, Protection, or Wager of Law, or *Non vult ulterius proſequi* ſhall be allowed; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Commanders to give an Account every Month of the Perſons complying with this Act.

XXXI. And be it further enacted by the Authority aforeſaid, That the Commanders of the ſaid Parties directed and intended to be raiſed by this Act, ſhall, once in every Month, give unto the Commiſſioners of the Precinct, or any Two of them, upon Oath, a true and exact Account of thoſe Perſons who complied with this Act, in ſending their Proportion of White and Black Shot, for that Month, or any Part of the Time, and how long they were deficient; and alſo to keep Journals of all their Proceedings, to be ſent to the Commiſſioners, and by them to be tranſmitted to his Excellency the Governor, or Commander in Chief for the Time being, under the Penalty of forfeiting Half his Wages or Salary; and whoever ſhall be found ſo deficient, ſhall be ſubject and liable to the Penalties in this Act already provided, and for which the Commiſſioners are hereby directed and obliged to have each Offender duly proſecuted.

Barracks to be furniſhed with Dogs.

XXXII. And be it further enacted by the Authority aforeſaid, That each Barrack be duly provided with a ſufficient Gang of Dogs, which the Commiſſioners are hereby directed and impowered to buy, or impreſs, to be paid for by the Churchwardens of the reſpective Pariſhes out of the Pariſh Stock, or Money they are obliged to levy and raiſe for the ſeveral Uſes and Purpoſes by virtue of this preſent Act, which the Juſtices and Veſtry are hereby obliged and required to do, on the Penalty of Twenty Pounds on each Juſtice and Veſtryman neglecting his Duty herein; to be recovered in a ſummary Way, as herein before directed by this Act.

Penalties how to be recovered and applied.

XXXIII. And be it further enacted by the Authority aforeſaid, That all the Penalties not mentioned in this Act how to be recovered or applied, ſhall be in his Majeſty's Supreme Court of Judicature in this Iſland, by Bill, Plaint, or Information; one Moiety to the Informer, or him, her, or them who ſhall ſue for and recover the ſame; and the other to and for the Uſe and Benefit of the reſpective Parties where ſuch Offence ſhall be committed, towards ſupporting the Expence of the Parties: And all Penalties directed how to be recovered, and not applied, ſhall be in like Manner to the Uſe of the Pariſh where the Crime ſhall be committed, to be paid to the Church-warden or Church-wardens thereof, to and for the Benefit of ſuch Pariſh, and towards the Charge of the Parties raiſed by virtue of this Act.

Copies of this Act to be ſent to the *Cuſtos* of each Pariſh.

XXXIV. And be it further enacted by the Authority aforeſaid, That the Secretary of this Iſland do, and he is hereby obliged, within Twenty Days after the paſſing this Act, to tranſmit Copies thereof to the *Cuſtos*, or next Magiſtrate in each of the Pariſhes in the *Weſtern Diviſion* afore mentioned, and to Two of the Commiſſioners for each of the ſaid Pariſhes; for every of which Copies he ſhall have and receive the Sum of Forty Shillings, to be paid by the Church-wardens of each Pariſh reſpectively out of the Pariſh Stock, on Penalty of forfeiting treble the Value for refuſing the ſame, in caſe of Complaint to any Juſtice.

Continuance of this Act.

XXXV. And be it further enacted by the Authority aforeſaid, That all that relate to the raiſing Parties, Baggage and Pioneer Negroes, Cutting and Clearing of Roads, in this Act, do continue and be in Force for the Space of Two Years only, and from thence to the End of the then next Seſſion of Aſſembly; any thing herein contained to the contrary notwithſtanding.

An

An Act for cutting a Road from the Breaſtwork, and building a defenſible Houſe at or near the Place where Captain De la Milliere *was ambuſhed; and for prohibiting the retailing of Rum at* Titchfield. 1733.

ACT 102.

WE, your Majeſty's moſt dutiful and loyal Subjects, the Aſſembly of this your Majeſty's Iſland of *Jamaica*, humbly beſeech your Majeſty that it may be enacted; be it therefore enacted by the Governor, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That a Road of Sixty Foot wide be cut and cleared from the Breaſtwork to the Place where Captain *De la Milliere* was ambuſhed, as nigh to the Rebels great Settlement as will appear practicable for a loaded Mule to travel.

A Road 60 Foot wide to be made near the Rebels great Settlement.

II. AND after ſuch Road is ſo cut and cleared, that the Space of Ten Chains ſquare be opened and cleared in ſome Part of the ſaid Road, as nigh the Rebels great Settlement as the Situation of the Ground will admit, proper for erecting a defenſible Houſe or Barrack, with Two or more Flankers, ſufficient to lodge Two hundred white Men, already or hereafter to be raiſed, and Proviſion for them for a Month; the Roof to be ſhingled, and the Body, or Walls, to be of Stone, or double Paliſadoes to be filled between, if Stone and Lime are not to be found there; and when ſuch intended Barrack is built, the Diſtance of Thirty Foot from each Side of the ſaid Barrack ſhall be paliſadoed, with Baſtions at each Angle, to be covered with Shingles; and that proper Hutts ſhall be built for the Negroes within the outward Paliſadoes.

A Barrack to be erected thereon.

III. AND in order to cut and clear the ſaid Road, and to build the ſaid defenſible Houſe or Barrack, be it enacted by the Authority aforeſaid, That One hundred and fifty Baggage or Pioneer Negroes be raiſed out of the ſeveral Pariſhes in the *Eaſtern Diviſion* of this Iſland, in Manner and Proportion as herein after is directed; that is to ſay, Out of the Pariſh of St. *Thomas in the Eaſt*, Fourteen Negroes; the Pariſh of St. *David*, Five Negroes; the Pariſh of *Kingſton*, Sixteen Negroes; the Pariſh of St. *Andrew*, Twenty-ſix Negroes; the Pariſh of St. *Catharine*, Twenty-four Negroes; the Pariſh of St. *John*, Eighteen Negroes; the Pariſh of St. *Dorothy*, Nine Negroes; the Pariſh of St. *Thomas in the Vale*, Twenty-two Negroes; the Pariſh of St. *Mary*, Eleven Negroes; and the Pariſhes of St. *George* and *Portland*, Five Negroes.

Proportion of Negroes to be raiſed to build the ſame.

IV. PROVIDED nevertheleſs, That ſuch Pariſhes having able Baggage Negroes at *Port Antonio*, in the Country's Service, at the Time of paſſing this Act, ſuch Negroes ſhall be continued at *Port Antonio*, and employed in and during the ſaid Service, and be deemed and allowed as Part of the reſpective Quota's of Negroes, as is herein before directed to be raiſed.

Proviſo.

V. AND in order to enable the ſaid Pariſhes the better to aſcertain the Baggage or Pioneer Negroes to be raiſed, agreeable to the true Intent and Meaning of this Act, that his Excellency be deſired to give Directions to the Officer commanding the Parties in the North-eaſt Parts of this Iſland, to tranſmit to him, without Delay, an exact Liſt of every ſuch able Negroe as ſhall be at *Port Antonio*, in the Country's Service, as aforeſaid, diſtinguiſhing the Pariſhes ſent from, and the Proprietor they belong to; as alſo a Liſt of ſuch as have been in the Service, and are diſcharged, or have deſerted: And the reſpective Juſtices and Veſtries of the ſaid ſeveral Pariſhes ſhall be, and they are hereby reſpectively impowered and required, within Twenty Days after ſuch Liſts, as aforeſaid, ſhall be ſent to them by his Excellency the Governor, to raiſe ſuch a Number of able Pioneer Negroes out of each Pariſh, as ſhall to them appear to be wanting to compleat the ſeveral Quota's of Negroes, as herein is before directed; and within Ten Days after they are ſo raiſed, they ſhall be ſent to *Port Antonio*, in ſuch Manner as the Governor, or Commander in Chief ſhall think fit, there to be delivered to the Officer commanding the Parties to be employed, as by this Act is directed; and that three Fourths of the ſaid Negroes ſhall, when the ſaid intended Road is cut, and Barrack built, as aforeſaid, be diſcharged, in order to return to their reſpective Owners;

Commanding Officer to ſend a Liſt of the Negroes at *Port Antonio* to the Governor.

1733. and that the one Fourth of the ſaid Negroes ſo directed to remain and continue in the ſaid Service, ſhall be equally draughted, in Proportion to the Negroes ſent out of each Pariſh.

100 white Men to be draughted out of the Party at *Port Antonio*.

VI. And that One hundred effective white Men be draughted out of the preſent Party now at *Port Antonio*, with proper Officers, to protect the Negroes and Workmen whilſt they are cutting the ſaid Road, and building the defenſible Houſe or Barrack, as aforeſaid, and that the reſt or Remainder of the Party be forthwith diſcharged from the Country's Service; but in caſe there ſhould not be found of the Parties now in the Country's Service at *Port Antonio*, One hundred effective white Men, as aforeſaid, or that at any Time hereafter, during the Continuance of this Act, there ſhall be wanting, by Deſertion, Death, or otherwiſe, of the ſaid Number, then the Governor, or Commander in Chief, is hereby authorized and impowered to raiſe ſo many as ſhall from Time to Time be wanting to compleat the ſaid Number of One hundred effective Party-men, Houſe-keepers and Tradeſmen excepted.

Governor to compleat the Independents there.

VII. And alſo, that his Excellency the Governor, or Commander in Chief for the Time being, is hereby deſired to compleat the Independents now at *Port Antonio*, to the Number of One hundred effective Men; and when the Party-men and Independents as ſhall appear to be wanting to compleat the ſaid reſpective Numbers, are raiſed, they ſhall be ſent to *Port Antonio* in ſome Veſſel, at the Charge of the Publick; and the ſaid Party-men and Independents are hereby obliged to protect the Settlers at or near the Breaſtwork, and the Negroes, whilſt employed in the Service aforeſaid.

Soldiers, &c. in the Barrack, to be ſubject to the Articles of War.

VIII. And when ſuch Road is cut and cleared, and the defenſible Houſe or Barrack built, as herein before directed, be it enacted by the Authority aforeſaid, That a ſufficient Number of the ſaid Soldiers ſhall be removed and kept at the ſaid Barrack; and that the ſaid One hundred Soldiers, and One hundred white Men, with the Baggage and Pioneer Negroes, ſhall be continued under, and ſubject to the Rules and Articles of War eſtabliſhed in the Time of the laſt Marſhal Law in this Iſland; which Articles and Rules of War are hereby enacted and declared to be in Force for that Purpoſe.

Penalty on Perſons retailing Rum, &c. to the Party-men.

IX. And whereas the retailing of Rum, and other ſtrong Liquors, to the Party-men at *Port Antonio*, and adjacent Places, has been attended with many Inconveniencies, frequently rendering the Men in the Country's Service incapable of marching, and occaſioning Mutiny, and other Diſorders: For Prevention of which, be it enacted by the Authority aforeſaid, That no Perſon whatſoever ſhall ſell or retail any Rum, or any other ſtrong Liquor, at *Titchfield*, the Breaſtwork, or within Twelve Miles of any Place where the Parties ſhall be employed, under the Penalty of Ten Pounds for every Offence; to be recovered in a ſummary Way, before the *Cuſtos*, Commanding Officer, or next Magiſtrate.

A proper Quantity to be ſent by the Publick.

X. And that what Rum, or other Liquors, may be thought requiſite and convenient for the Uſe of the Parties, be ſent by the Publick to *Port Antonio* for the Country's Uſe, and ſhall be lodged in the Hands of the Commiſſary, and by him or his Deputy be iſſued out, with uſual Allowance for Leakage and Charges, at Half a Pint of Rum a-Day to each Party-man or Independent, or other Liquors in Proportion; which Liquors ſo iſſued, ſhall be charged to the Party-men and Independents, at the Price laid in by the Publick, and be deducted out of their Pay.

Pay of the Men.

XI. And be it further enacted by the Authority aforeſaid, That as an Encouragement to the ſeveral and reſpective Perſons in the Country's Service to diſcharge their Duty, that the Private Men be paid in Caſh (weekly) after the Rate of Forty Shillings a Month each, each Captain Ten Pounds *per* Month, each Lieutenant Seven Pounds *per* Month, and each Serjeant Four Pounds *per* Month; that the Receiver-General remit their Pay to the Commiſſary, at the publick Riſque, out of any Fund or Funds already ariſen, or to be appropriated for the Uſe of Parties.

Receiver General to borrow Money at Intereſt, if there is not ſufficient in his Hands.

XII. And to obviate all Diſputes that may ariſe for want of their being duly paid, or being duly ſupplied with Proviſions, and other Neceſſaries, if the Receiver-General ſhould not from Time to Time have publick Money ſufficient in his Hands for ſuch their Payment and Supply as aforeſaid, then that he be, and is hereby impowered and required to take all ſuch Money as ſhall be wanting for

ſuch

such their Payment and Supplies up at Intereſt, at the Rate of Twelve Pounds *per Centum per Annum*, giving Receipts for the ſame; and alſo when the ſaid Barrack or defenſible Houſe is built, that the Receiver-General do, and he is hereby impowered and required to purchaſe, and ſend to *Port Antonio* four Mules, to carry the Proviſions to the ſaid Barrack, for the Support and Uſe of the ſaid Parties. 1733.

XIII. AND be it further enacted by the Authority aforeſaid, That the Independents at or near *Port Antonio*, or the Breaſtwork, ſo long as they ſhall continue there, ſhall have the uſual Subſiſtence, with an Addition of the Country's Proviſions, which ſhall alſo be allowed them; any thing herein, or in any other Act or Law to the contrary notwithſtanding. Independents to have the uſual Subſiſtence.

XIV. AND be it enacted by the Authority aforeſaid, That none of the ſaid Parties ſhall be ſuffered to remain or continue at *Titchfield* longer than when directed by their Officer, to guard the Baggage ſent thither for Proviſions and Neceſſaries for the Uſe of the ſaid Parties. None of the Parties to remain at *Titchfield* longer than directed by their Officer.

XV. AND be it further enacted by the Authority aforeſaid, That ſuch Magiſtrates or Commanding Officers as ſhall offend contrary to the true Intent and Meaning of this Act, or neglect his or their Duty in any thing therein contained, ſhall reſpectively forfeit the Sum of Fifty Pounds; to be recovered in the Supreme Court of Judicature of this Iſland, by Action of Debt, Bill, Plaint, or Information; wherein no Injunction, Imparlance, or Wager of Law ſhall be granted or allowed, or *Non vult ulterius proſequi* entered; the one Half of all which Forfeitures ſhall be to the Informer, or him, her, or them who ſhall proſecute for the ſame; and the other Half to the Uſe of Parties. Penalty on Magiſtrates, &c. offending againſt this Act.

XVI. AND be it further enacted by the Authority aforeſaid, That the ſaid Parties ſhall continue in the ſaid Service for the Space of Twelve Months, and no longer; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. Parties to continue twelve Months in the Service.

An Act to prevent the making, throwing, or firing off Squibs, Serpents, Rockets, or other Fire-works.

ACT 103.

WHEREAS the throwing, making, or firing off Squibs, Serpents, Rockets, or other Fire-works, is frequently practiſed, notwithſtanding a Law made for the Prevention of the Sale of Gunpowder; which, if not timely prevented, may be very prejudicial to the Publick, by ſupplying Negroes with Gunpowder, and endanger the burning the Houſes in the reſpective Towns of this Iſland, they being generally covered with Northern Shingles: For Remedy whereof, may it pleaſe your moſt Excellent Majeſty that it may be enacted; be it therefore enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted by the Authority of the ſame, That if any white Perſon or Perſons ſhall from and after the Twelfth Day of this inſtant Month of *November*, in the Year of our Lord One thouſand ſeven hundred and thirty-three, make, throw, or fire off any Squibs, Serpents, Rockets, or other Fire-works, in any Street, Lane, or Alley, within the three Towns of St. *Jago de la Vega*, *Kingston*, or *Port Royal*, or in any Pariſh of this Iſland; every ſuch Perſon ſo offending ſhall forfeit the Sum of Ten Pounds, or be whipped at the publick Whipping-place of the Pariſh where ſuch Offence ſhall be committed, for every ſuch Squib, Serpent, Rocket, or other Fire-work by him, her, or them ſo made, thrown, or fired off; to be recovered before any Juſtice of the Peace of the Pariſh or Precinct wherein ſuch Offence ſhall be committed: One Half of which Forfeitures ſhall be to the Uſe of the Informer, and the other to the Church-wardens of each Pariſh wherein ſuch Offence ſhall be committed, for the Time being, to and for the Uſe of the Poor of the ſaid Pariſh, or whatever other charitable Uſe the Juſtices and Veſtry of the ſaid Pariſh, in which ſuch Squib, Serpent, Rocket, or other Fire-work ſhall be made, thrown, or fired off, ſhall think fit. White Perſons throwing Squibs, &c. to forfeit 10 *l.* or be whipped.

II. AND in caſe any Mulatto, *Indian*, or Negroe ſhall, from and after the ſaid Twelfth Day of *November* inſtant, preſume to make, uſe, throw, or fire off any Squib, Serpent, Rocket, or other Fire-work, within the ſaid Towns, or any of the Negroes, &c. to be whipped.

1733. the Pariſhes of this Iſland; then every Conſtable and Tythingman within this Iſland ſhall be, and they are hereby directed and required immediately to apprehend and take up ſuch Mulatto, *Indian*, or Negroe ſo offending, and him, her, or them, when ſo apprehended, to carry before the next Magiſtrate, who is hereby required and directed to order ſuch Offender to be whipped at the moſt publick Place in the reſpective Pariſhes, on the bare Back, at his Diſcretion, any Number of Laſhes not exceeding Thirty-nine.

Penalty on Magiſtrate, &c. neglecting his Duty;

III. And in caſe any Magiſtrate, Conſtable, or Tythingman ſhall neglect or refuſe to perform his or their Duty therein; then every ſuch Magiſtrate, Conſtable, or Tythingman ſhall, for every ſuch Offence, reſpectively forfeit the Sum of Twenty Pounds; to be recovered in any Court of Record in this Iſland, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoin, Protection, Injunction, or Wager of Law ſhall be granted or allowed, or *Non vult ulterius proſequi* entered; one Half of which Forfeiture ſhall be to the Informer, and the other to the Church-wardens for the Time being of the Pariſh where ſuch Offence ſhall be committed; for the Uſe of the Poor of the Pariſh in which ſuch Forfeiture ſhall ariſe; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

and on Perſons encouraging Negroes to make Fire-works.

IV. And be it further enacted by the Authority aforeſaid, That in caſe any Perſon ſhall encourage or direct any Negroe, *Indian*, or Mulatto, to make, throw, or fire off any Squibs, Serpents, Rockets, or other Fire-works; then every ſuch Perſon ſo giving any ſuch Encouragement or Direction, ſhall reſpectively be ſubject and liable to all ſuch Pains and Penalties, as any white Perſon who ſhall make, throw, or fire any Squibs, Serpents, Rockets, or other Fire-works, is, are, or may be liable or ſubject to by this Act; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

1734. *An Act to veſt Lands in* Port Royal *in his Majeſty, his Heirs and Succeſſors, for the Uſe of his Ships of War.*

Act 104. WHEREAS the Town of *Port Royal* hath, by long Experience, been found to be of great Importance to this Iſland, in regard to its convenient Situation, the Goodneſs and natural Advantages of the Harbour, as well as to its Strength and Security from his Majeſty's Fortifications: And whereas the ſaid Town and Harbour may be rendered more uſeful and commodious, if Conveniencies were erected thereon, for careening of Ships, and ſuch other Buildings as may be thought proper and neceſſary for the Service of his Majeſty's Ships of War: And whereas it is requiſite, in order thereunto, that the Land at the North-eaſt End of *Port Royal*, deſcribed by the Plat hereunto annexed *, or ſo much of it as ſhall be thought neceſſary by Sir *Chaloner Ogle*, Commander in Chief of his Majeſty's Ships, ſhould be veſted in your Majeſty, your Heirs and Succeſſors, for the Uſes aforeſaid, Part of which may be the Eſtates of Infants, Feme Coverts, or other Perſons who by Law are diſabled to make any Contracts or Conveyances; in all which Caſes, as likewiſe where any Proprietors, intending either to obſtruct the publick Service, or to make unreaſonable Gain to themſelves, inſiſt on extravagant Prices and Rates, it will be neceſſary to have Recourſe to the uſual Methods that have been taken in like Caſes: May it pleaſe your moſt Excellent Majeſty that it may be enacted; be it therefore enacted by the Preſident, Council, and Aſſembly of this your Majeſty's Iſland, and it is hereby enacted by the Authority of the ſame, That it ſhall be lawful to and for his Honour the Preſident, or the Commander in Chief for the Time being, and his Honour the Preſident, or Commander in Chief for the Time being, is hereby authorized, impowered, and required, under the Broad Seal of the Iſland, to authorize and appoint any Three or more of his Majeſty's Council of this Iſland, together with any Five of the Repreſentatives of the preſent Aſſembly for the Pariſhes of St. *Catharine*, *Port Royal*, *Kingston*, and St. *Andrew*, or any Five of the ſaid Commiſſioners, whereof Two to be of the Council, to make Surveys of Land, and particularly deſcribe ſuch Lands, Tenements, or Hereditaments within the ſaid Parcel of Land deſcribed by

* *To be ſeen in the Secretary's Office.*

The Preſident to appoint Commiſſioners to deſcribe Lands for the Uſe of his Majeſty.

by the ſaid Plat, as are proper to be purchaſed for the Uſes and Purpoſes aforeſaid. 1734.

II. And to the Intent that all due Encouragement and Expedition may be given unto ſo neceſſary a Work, and that all Impediments and Obſtructions may be removed, and reaſonable Satisfaction may be given for all ſuch Lands, Tenements, Hereditaments, and Shoal Water as ſhall be thought convenient to be taken and employed, or purchaſed for the Uſes aforeſaid; the ſaid Commiſſioners, or any Five of them, whereof Two to be of the Council, are hereby authorized to treat and agree with the Owners, and others intereſted in any ſuch Lands, Tenements, Hereditaments, or Shoal Water. Commiſſioners to treat with the Owners of Lands, &c.

III. And in caſe any Perſon or Perſons ſhall wilfully decline, or refuſe to treat and agree, as aforeſaid, or through any Diſability, by Nonage, Coverture, or by reaſon of any other Impediment, cannot diſpoſe of their reſpective Intereſts in ſuch Lands, Tenements, Hereditaments, or Shoal Water; in every ſuch Caſe the ſaid Commiſſioners, or any Five of them, whereof Two to be of the Council, are hereby authorized and required to iſſue forth their Warrant or Warrants, on or before the Tenth Day of *November* next, to the Provoſt-marſhal, to impannel and return before the ſaid Commiſſioners, or any Five of them, whereof Two to be of the Council, at ſuch Times and Places as ſhall be appointed in ſuch Warrant or Warrants, a ſufficient Jury, who, upon their Oaths (which the ſaid Commiſſioners, or any Five of them, whereof Two to be of the Council, are hereby impowered to adminiſter) ſhall enquire into the true Value of all ſuch Lands, Tenements, or Hereditaments within the Deſcription of the ſaid Plat, and ſuch Shoal Water as may be requiſite, as the ſaid Commiſſioners, or any Five of them, whereof Two to be of the Council, ſhall think requiſite to be purchaſed for the Purpoſes aforeſaid, and give their Verdict or Inquiſition thereof to the ſaid Provoſt-marſhal, who is hereby required to return and certify the ſame under his and their Hands into his Majeſty's Court of Chancery of this Iſland, on or before the Firſt Day of *December* next, there to be recorded, under the Penalty of One hundred Pounds; which ſaid Valuation ſo returned and recorded, ſhall be final and concluſive to and againſt all Perſons whatſoever. In caſe of Refuſal or Diſability in the Owners, Commiſſioners to impannel a Jury to enquire into the Value of ſuch Lands, &c.

IV. Provided nevertheleſs, and to the Intent that all and ſingular the Proprietors aforeſaid may be paid for their reſpective Eſtates and Intereſts, all and every Sums of Money as have been agreed for, or aſſeſſed upon Oath, as aforeſaid; it is hereby directed, That the ſaid Valuation upon Oath, with the Names of the reſpective Proprietors, be laid before Sir *Chaloner Ogle*, or the Commander in Chief of his Majeſty's Ships here for the Time being, in order that each reſpective Proprietor may obtain Compenſation for the ſame; and that immediately upon ſatisfying ſuch reſpective Proprietors, the ſaid Lands and Shoal Water ſo allotted, ſhall for ever afterwards be, and are hereby declared to be abſolutely veſted in his Majeſty, his Heirs and Succeſſors, to the Uſes and Purpoſes aforeſaid; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. Proviſo.

V. And in order to enable Sir *Chaloner Ogle* the better to make ſuch Compenſation to each reſpective Proprietor, be it enacted by the Authority aforeſaid, That the Receiver-General do immediately pay into his Hands the Sum of Two hundred and fifty Pounds, to be by him applied to the Purpoſes aforeſaid. 250 *l.* to be paid to Sir *Chaloner Ogle*, to be applied to the Payment of Proprietors for their Eſtates, &c.

An Act for the more effectual directing the Marſhal's Proceedings, and regulating thereof. 1735.

Act 105.

WHEREAS many and great Abuſes have been introduced in the Execution of the Office of Provoſt-marſhal of this Iſland, and many exorbitant Fees have been demanded and taken, contrary to the Laws of this Iſland, or not warranted by any Laws now in Force; and more particularly, there has been demanded and taken for Mile-money, in the Service of Writs of Summons, Arreſts, and other Proceſs, much more than the Law directs; and for Bail-bonds taken

1735. upon Arreſts, Writs of Attachment, Writs of *Ne exeat Inſula*, and other Writs: And of late, when Negroes, Cattle, and other Things have been advertiſed to be ſold, there has been inſerted a *Nota bene*, That the Provoſt-marſhal will not warrant the Titles; whereby ſuch Negroes, Cattle, and other Things, have been ſold for much leſs than their Value, and oftentimes have remained in Cuſtody for want of Buyers; and thereby, and by ſecond and clandeſtine Sales, the Creditor has been delayed and injured, and the Debtor has been utterly ruined: And it hath often happened, that Levies are returned upon Writs of Execution, and no Notice given thereof to the Defendants; and ſometimes Levies have been returned by the Deputy-marſhals, when in Fact they never had Precepts to enable them ſo to do; and it hath long been the Practice of Perſons in the ſaid Office, when Writs of *Venditioni exponas* have been lodged, and but a ſmall Part of the Debt levied or received, that the whole Fees are charged and detained, though no more ought ſo to be, than in Proportion to what is ſo received and paid to the Plaintiffs; and it hath alſo happened, that by the Provoſt-marſhal's having it in his Power to open his Office in the Morning of the Day when Writs of Executions are or may be firſt lodged with him after each Court, that oftentimes undue Preference hath been given, and ſome Perſons have thereby received their whole Debts, and others have been Loſers of the whole, or the greateſt Part of their Debts: For the preventing of which Abuſes, be it enacted by the Preſident, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby

Provoſt-marſhal's Fees for Writs limited,

enacted by the Authority of the ſame, That no Provoſt-marſhal ſhall for the future demand or take for the Service of Writs of Summons, Arreſts, *Scire facias*, Replevin, or other Proceſs whatſoever, more than Three Pence *per* Mile, which is allowed by an Act, entituled, *An Act for regulating Fees*; unleſs in ſuch Caſes where the ſaid Act hath otherwiſe allowed.

and aſcertained.

II. And in order to aſcertain the ſame, and the reſpective Diſtances of the ſeveral Pariſhes from the Town of St. *Jago de la Vega*, be it further enacted by the Authority aforeſaid, That the Provoſt-marſhal of this Iſland ſhall be allowed for Mile-money at and after the ſeveral and reſpective Rates following, to wit, For all Writs of Summons, Arreſts, *Scire facias*, Replevin, or other Proceſs whatſoever, in the ſeveral Pariſhes of this Iſland, to wit, in the Pariſh of St. *Catharine*, Nine Pence; in the Pariſh of St. *Dorothy*, Two Shillings and Nine Pence; in the Pariſh of *Clarendon*, Seven Shillings and Nine Pence; in the Pariſh of *Vere*, Seven Shillings; in the Pariſh of St. *Elizabeth*, Seventeen Shillings and Six Pence; in the Pariſh of *Weſtmoreland*, One Pound Eleven Shillings and Three Pence; in the Pariſh of *Hanover*, One Pound Eleven Shillings and Six Pence; in the Pariſh of St. *John*, Three Shillings; in the Pariſh of St. *Thomas in the Vale*, Four Shillings; in the Pariſh of St. *Anne*, Eleven Shillings and Six Pence; in the Pariſh of St. *James*, One Pound; in the Pariſh of St. *Mary*, Eight Shillings and Nine Pence; in the Pariſh of *Port Royal*, Three Shillings; in the Pariſh of *Kingſton*, Four Shillings and Six Pence; in the Pariſh of *St. David*, Nine Shillings and Three Pence; in the Pariſh of St. *Thomas in the Eaſt*, Sixteen Shillings; in the Pariſh of St. *Andrew*, Four Shillings; in the Pariſh of St. *George*, Eleven Shillings and Nine Pence; and in the Pariſh of *Portland*, Fifteen Shillings and Three Pence, beſides Two Shillings and Six Pence for ſerving each Writ, allowed by the ſaid Act, entituled, *An Act for regulating Fees*, and no more; and the Judges of the ſaid Supreme Court, and other the Officers of the ſame, are required to take Notice thereof, and conform thereunto; any thing in the ſaid Act, or in any other Act to the contrary in any wiſe notwithſtanding.

Other Regulations concerning Fees.

III. And be it alſo enacted by the Authority aforeſaid, That for the future no Provoſt-marſhal, or his Deputy or Deputies, or any other Perſon or Perſons for him, or to his Uſe, ſhall take for a Bail-bond on any Writ of Arreſt, Attachment, or other Proceſs of Contempt out of the ſaid Supreme Court, or the Court of Chancery, or for a Replevin-bond, more than Five Shillings; and for the executing a Writ of *Ne exeat Inſula*, more than Ten Shillings; and Mile-money, at the Rate aforeſaid; and for a Bond taken thereon, more than Five Shillings; and for the executing a Bench-warrant granted by the ſaid Court, or the Juſtices of the Peace at their Quarter-ſeſſions, more than Ten Shillings; and Mile-money, at and after the

the Rate of Twelve Pence *per* Mile; and for every other Warrant, granted by one of the Judges, or a Juſtice of the Peace, more than Ten Shillings; and Mile-money, as aforeſaid. 1735.

IV. AND for the preventing the Miſchief and Abuſes which have aroſe by the Provoſt-marſhal, or his Deputy's inſerting a *Nota bene* againſt his warranting the Title of the Negroes, or other Effects to be diſpoſed of, in their Advertiſements for the Sale of Negroes, Cattle, and other Things; be it enacted, That for the future the Provoſt-marſhal, or his Deputy or Deputies, do not inſert any ſuch *Nota bene*, or any thing to that or the like Effect. No *Nota bene* to be inſerted in the Warrants of Sale.

V. AND be it further enacted by the Authority aforeſaid, That when any Levy or Levies are made upon any Writ or Writs of Execution, the Provoſt-marſhal, or his Deputy or Deputies, do give Notice to the Defendant or Defendants, or ſome of them, or his or their Attorney or Attornies, or leave or ſend a Notice in Writing at his or their uſual Place of Abode, of ſuch Levy or Levies being made, and at whoſe Suit or Suits; and that for the future the Provoſt-marſhal, or his Deputy or Deputies, do not demand or take any Fees whatſoever upon ſuch Levy or Levies being returned on Writs of Execution, until the Debt, or Sum due on ſuch Execution, be paid or ſatisfied to the Plaintiff or Plaintiffs, or in Proportion to ſuch Part of the Debt or Sum which ſhall be ſo paid, ſatisfied, or diſcharged. Notice of Levies to be given to the Defendants, &c.

VI. AND for the preventing the Abuſes which have often been committed by the Provoſt-marſhal, or thoſe intruſted by him, in the taking and entering Writs of Execution on the firſt Day, when they may be lodged, after each Supreme Court; be it further enacted, That the Provoſt-marſhal ſhall open his Office at Seven of the Clock in the Morning of that Day, and not before, and continue the ſame open till Eleven; and that no Fraction ſhall be made in the Hour from Seven to Eight, but that all Writs of Execution lodged in that Time, ſhall equally bind and affect the Property of the Defendants. Office to be open from 7 to 11 in the Morning.

VII. AND for the future, no Writ of Execution which hath been already lodged in the ſaid Office, and no Proceedings had thereon, nor ſhall be had thereon for one whole Year, the Time of Marſhal Law not to be computed, after the paſſing of this Act; and no Writ of Execution hereafter to be lodged, which ſhall lie dormant, and no Proceedings ſhall be had thereon for the Space of one Year, the Time of Marſhal Law not to be computed, from the Return of ſuch Execution, ſhall have any Force or Effect againſt any other Creditor or Creditors, who have lodged, or ſhall hereafter lodge, any other Writ or Writs of Execution, and have proceeded, or ſhall proceed thereon, to have the Benefit and Effect of the ſame. Writs not proceeded on within a Year, not to affect others executed within that Time.

VIII. PROVIDED always, and it is hereby further enacted by the Authority aforeſaid, That upon all and every Writ or Writs of *Venditioni* hereafter to be iſſued, no more of the Negroes or Effects of the Defendant or Defendants therein named ſhall be ſold or diſpoſed of, than ſuch or ſo many as is or are neceſſary to, or will really and *bona fide* pay and ſatisfy the reſpective Debts, Coſts, and Fees due upon ſuch Writ or Writs of *Venditioni*: And if it ſhall be found neceſſary to ſell Negroes, or other Effects, exceeding the Amount of the Debt and Coſts for which ſuch Writ or Writs of *Venditioni* iſſued; that then, and in every ſuch Caſe, the Provoſt-marſhal, or his Deputy or Deputies, ſhall return the Overplus to the Owner or Owners of ſuch Negroes or Effects, and that within Ten Days next after the Sale thereof, if demanded. No more Effects to be ſold, than will pay Debts, &c.

IX. AND be it further enacted by the Authority aforeſaid, That on all Returns to Executions hereafter to be made, the Particulars on which any Levy ſhall be made, ſhall be deſcribed; and that the ſaid Provoſt-marſhal do return and file, in the Clerk's Office of the Supreme Court of Judicature of this Iſland, all ſuch Writs and other Proceſs as ſhall be to him directed, in Eight Days from the meeting of every ſuch Court; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. Particulars of Levies to be deſcribed in all Returns, &c.

X. AND be it further enacted by the Authority aforeſaid, That whenever hereafter any Slave or Slaves, taken on any ſuch Writ or Writs of *Venditioni*, ſhall be expoſed to Sale, the Provoſt-marſhal and his Deputies reſpectively, ſhall ſell Directions concerning Slaves and Cattle.

1735. ſell all ſuch Slaves ſingly, unleſs in caſe of Families; in which Caſe, and no other, the ſaid Provoſt-marſhal, or any of his Deputies, may ſet up to Sale ſuch Family or Families, conſiſting of a Man and his Wife, his, her, or their Children: And that whenever any working Cattle, taken on any *Venditioni* or *Venditioni's*, ſhall be expoſed to Sale, the Provoſt-marſhal, and his Deputies reſpectively, ſhall ſell ſuch working Cattle by the Yoke or Couple, if ſo many are neceſſary to be ſold; and that all other neat Cattle, Horſes, Mares, and Mules, ſhall be ſold ſingly.

No more Fees to be paid than for the real Debt and Coſts.

XI. And be it further enacted by the Authority aforeſaid, That whenever hereafter any Two or more Executions of *Venditioni's* ſhall be lodged in the Provoſt-marſhal's Office, either againſt the Principal and his Securities, or any others, for one and the ſame Debt, no more Poundage Fees ſhall be demanded or received by the Provoſt-marſhal, or any of his Deputies, than for the real Debt and Coſts then due on ſuch Executions or *Venditioni's* which ſhall be lodged for one and the ſame Debt, as aforeſaid.

XII. And be it further enacted by the Authority aforeſaid, That from and after the paſſing of this Act, the Provoſt-marſhal ſhall not execute or take into his Office, or ſuffer to be lodged there, any Writ of Execution or *Venditioni exponas*, unleſs the Sum really due to the Plaintiff, at whoſe Suit ſuch Writ ſhall iſſue, ſhall be marked or indorſed on the ſaid Writ by the ſaid Plaintiff, or his Clerk in Court, or Attorney; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Writs to be indorſed.

Vide Act 182.

XIII. And in caſe any Plaintiff, in order to diſtreſs the Defendant, ſhall mark or indorſe, or order his ſaid Clerk in Court, or Attorney, to mark or indorſe, or the ſaid Clerk in Court, or Attorney himſelf, ſhall officiouſly, or without any Orders from the Plaintiff, mark or indorſe ſuch Writ for a greater Sum than is or ſhall be really due; that ſuch Plaintiff, or his ſaid Clerk in Court, or Attorney, ſhall for every Offence reſpectively forfeit the Sum of One hundred Pounds; and the ſaid Clerk in Court, or Attorney, offending as aforeſaid, ſhall be rendered incapable of practiſing; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Penalty on indorſing more than the real Sum.

A Deputy-marſhal to be in each Precinct.

XIV. And be it further enacted by the Authority aforeſaid, That the Provoſt-marſhal ſhall be obliged, and he is hereby required to keep in each Precinct within this Iſland, a ſufficient Perſon to act as Deputy-marſhal, who ſhall reſide in the moſt convenient Place of the ſaid Precinct, in order to receive all ſuch Priſoners as ſhall be committed to him within ſuch Precinct, and alſo execute all ſuch Writs and Precepts as ſhall be directed to him by any Judge or Juſtice of the Peace of ſuch Precinct.

Runaway Slaves to be advertiſed, &c.

XV. And be it further enacted by the Authority aforeſaid, That from and after the paſſing of this Act, all Deputy-marſhals and Gaol-keepers in the three Towns of St. *Jago de la Vega*, *Port Royal*, and *Kingston*, in this Iſland, do weekly publiſh in the *Courant* a Liſt of all runaway Slaves that ſhall hereafter be in any of the Gaols in the ſaid three Towns, with the Names, Marks, and Times of their coming in, their Offences, and to whom they reſpectively belong, under the Penalty of Fifty Pounds for each Offence; and that the Charge of ſuch Advertiſement be allowed to the Provoſt-marſhal, or his Deputy, by the Proprietor of ſuch Slave or Slaves, not exceeding Fifteen Pence for each Negroe or Slave ſo advertiſed; and that ſuch Advertiſment ſhall be publiſhed in the ſaid *Courant* three Times ſucceſſively; and that ſuch Deputy-marſhal or Gaoler ſhall charge and receive for the Maintenance of ſuch Negroe or Slave Sixpence *per* Day, and no more, and ſhall not demand or take any Fee or Reward, under Pretence of Committment or Releaſement, or any other Account.

Receipts of ſeized Goods to be given to Defendants.

XVI. And to prevent all Marſhals from embeziling or converting to their own Uſe the Negroe or other Slaves, or other Goods or Chattels of any Defendant, be it further enacted by the Authority aforeſaid, That all Marſhals do, upon all Seizures, give to all and every Defendant or Defendants, or to any Perſon or Perſons demanding the ſame in Behalf of any Defendant, a Receipt, containing a particular, full, and exact Account of every particular Negroe or other Slave, or Goods, Chattels, or other Things, which they ſhall at any Time hereafter

after ſeize or take into their Cuſtody by virtue of any Writ or Writs of *Venditioni*, or any other Writ or Proceſs whatſoever. 1735.

XVII. AND whereas the keeeping of Slaves, Horſes, Cattle, and other live Stock, taken in Cuſtody on Writs of *Venditioni exponas*, for a conſiderable Time before the Sale thereof, have been found very detrimental, as well to the reſpective Owners, as to their Creditors; the Charges of the Deputy-marſhals for keeping the ſame in their Cuſtody, and for the Maintenance of ſuch Slaves, Horſes, Cattle, and live Stock, frequently ariſing to great Part of their Value: For the more ſpeedy Sale of ſuch Slaves, Horſes, Cattle, and other live Stock, and preventing ſuch Charges for the future, be it further enacted by the Authority aforeſaid, That from and after the paſſing of this Act, all Slaves, neat Cattle, Horſes, Mares, Mules, and other live Stock whatſoever, which ſhall be taken on any Writ of *Venditioni exponas*, ſhall be ſold within Fourteen Days after any ſuch Slaves, neat Cattle, Horſes, Mares, Mules, and live Stock ſhall be taken on any ſuch Writ, publick Notice of the Time and Place of every ſuch Sale being firſt fixed up in the moſt publick Place of the Pariſh or Precinct Five Days before any ſuch Sale made; any thing in the Act, entituled, *An Act for eſtabliſhing Courts, and directing the Marſhal's Proceedings*, or in the Act, entituled, *A Supplemental and Explanatory Act*, or any other Act, Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Goods, &c. taken in Execution, to be ſold within 14 Days.

XVIII. AND whereas by the ſaid Act, entituled, *An Act for eſtabliſhing Courts, and directing the Marſhal's Proceedings*, it is enacted, That at *Port Royal* all Summons's ſhould be delivered Ten Days before the Courts, otherwiſe they ſhould be deemed and taken as no Service, and the Defendants not bound thereby to appear; whereby that Pariſh hath not equal Notice of ſuch Proceſs againſt them out of the Supreme Court of Judicature with the other Pariſhes in this Iſland: For Remedy whereof, be it further enacted by the Authority aforeſaid, That for the future all Summons's iſſuing out of the ſaid Supreme Court of Judicature, againſt any Perſon or Perſons in the Pariſh of *Port Royal*, ſhall be delivered Fourteen Days before each Supreme Court of Judicature, as in the other Pariſhes of this Iſland, otherwiſe the ſame ſhall not be allowed ſufficient Service; the ſaid Act, or any other Act, Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Summons's to be delivered to the Inhabitants of *Port Royal*, 14 Days before the Court.

XIX. AND be it further enacted by the Authority aforeſaid, That if any Provoſt-marſhal, or any of his Deputies, ſhall hereafter in any thing offend contrary to the true Intent and Meaning of this Act, that then, and in every ſuch Caſe, ſuch Provoſt-marſhal, or any of his Deputies ſo offending, ſhall for every ſuch Offence reſpectively forfeit the Sum of Twenty Pounds, over and above all other Penalties and Forfeitures mentioned in the ſaid Act, entituled, *An Act for regulating Fees*; one Half thereof, and all other Penalties in this Act mentioned, to be to his Majeſty, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Half to the Informer, or him or them that ſhall ſue for the ſame; to be recovered in his Majeſty's Supreme Court of Judicature of this Iſland, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoin, Protection, Injunction, or Wager of Law ſhall be granted or allowed, or *Non vult ulterius proſequi* entered; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Penalty on Provoſt-marſhal, or his Deputies, offending againſt this Act.

How to be levied and applied.

An Act to prevent Hawking and Peddling, and diſpoſing of Goods clandeſtinely.

ACT 106.

WHEREAS divers Mulattoes, *Indians*, and Negroes, have of late been frequently employed in hawking and ſelling, from Place to Place, all Manner of Goods, Wares, and Merchandize, which are commonly uſed and ſold in this Iſland; which Practice tends to the manifeſt Prejudice of Trade, and to the great Diſcouragement of Houſekeepers, who are ſubject to Parochial Duties, Taxes, and Rents for their Houſes; Be it therefore enacted by the Preſident, Council, and Aſſembly of this Iſland, and it is hereby enacted by the Authority of the ſame, That no Mulatto, *Indian*, or Negroe whatſoever, ſhall hawk, or carry about to ſell, from Place to Place, or ſhall ſell in any open Street or Market, any Sort or Sorts of Goods, Wares, or Merchandize whatſoever, on Penalty of

Negroes, hawking or ſelling of Goods, to forfeit the ſame;

1735. of the Forfeiture of all and every ſuch Goods, Wares, and Merchandizes as ſhall be ſo hawked or carried, or expoſed to be ſold and diſpoſed of; and the further Pain of ſuch corporal Puniſhment, as any Magiſtrate, in his Diſcretion, ſhall think fit to appoint, not exceeding Thirty one Laſhes.

And to be whipped.

Proviſo. II. Provided always, That nothing in this Act contained ſhall extend, or be deemed, conſtrued, or taken to extend to prevent the carrying about, ſelling, and diſpoſing of all, and all Manner of Proviſions, Fruits, freſh Fiſh, Milk, Poultry, and other ſmall Stock of all Kinds; but that the ſame may be carried about, ſold, and diſpoſed of, as formerly, provided the Perſons have a Ticket from the Maſter or Owner of ſuch Goods; any thing in this Act contained to the contrary thereof in any wiſe notwithſtanding.

III. And for the better preventing of ſuch Hawkers and Foreſtallers of the Market, as go a conſiderable Way out of the reſpective Towns in this Iſland to meet ſuch Perſons as bring in Plantation Proviſions, and other Stock, and do buy up and engroſs the ſame; by which Means the Prices of Proviſions of all Kinds are greatly advanced: For the Prevention whereof for the future, be it enacted by the Authority aforeſaid, That no Mulatto, *Indian*, or Negroe whatſoever, ſhall buy up, to re-vend or engroſs, any Manner of Plantation Proviſions, or ſmall Stock whatſoever; and whoſoever ſhall offend contrary to the true Intent and Meaning hereof, ſhall be ſubject to ſuch corporal Puniſhment, not exceeding Thirty one Laſhes, as any Magiſtrate, in his Diſcretion, ſhall order.

Negroes not to engroſs Plantation Proviſions;

IV. And be it further enacted by the Authority aforeſaid, That no Slave preſume to ſell or give away any Sugar, or Sugar-canes, without a Ticket from the Owner or Proprietor of ſuch Slave; on Pain of ſuch corporal Puniſhment, to be inflicted on ſuch Slave or Slaves, by Order of any Juſtice, as ſuch Juſtice ſhall think fitting, not exceeding Thirty one Laſhes.

nor ſell Sugar-canes without a Ticket from the Owner.

V. And be it further enacted by the Authority aforeſaid, That all and every Perſon or Perſons, who ſhall buy or receive any Sugar, Rum, Cotton, Ginger, Coffee, Cocoa, or Chocolate, or other Product (Proviſions and ſmall Stock excepted) of any Slave or Slaves, or any other Perſon but the Maſter or Owner of ſuch Rum, Sugar, Cotton, Ginger, Coffee, Cocoa, Chocolate, or other Product, as aforeſaid, or a known Factor for the ſame, and ſhall be thereof convicted by the Oath of any one white Perſon, ſhall forfeit Ten Pounds (to the Uſes herein after mentioned) for the firſt Offence; and for the ſecond and every other Offence of the Kind, the like Sum of Ten Pounds; and ſuffer ſuch corporal Puniſhment as any Juſtice of the Peace in his Diſcretion ſhall order, not exceeding Twenty Laſhes on the bare Back or Buttocks.

Perſons buying Sugar, Rum, &c. of any Slave, to forfeit 10 *l.* &c.

VI. And be it further enacted by the Authority aforeſaid, That all Penalties and Forfeitures in this Act mentioned, ſhall be recovered before any Two Juſtices of the Peace; the one Half thereof to the Uſe of the Informer, and the other Half to the Uſe of the Poor of the Pariſh where ſuch Offence ſhall be committed; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Penalties how to be recovered and applied.

1736. *An Act for introducing White People into this Iſland, for ſubſiſting them for a certain Time, and providing them with Land, that they may become Settlers.*

Act 107. WHEREAS nothing can conduce more to the Security, Wealth, and Defence of this Iſland, than the giving proper Encouragement to White People to come over and ſettle the uncultivated Lands thereof: And whereas there are large and valuable Tracts of uncultivated Land where the Barracks are to be built, at or near *Manchionell* Harbour, and at or near *Norman*'s Valley; which, if ſettled, would be of great Security to thoſe Parts of the Country, as well as the Iſland in general: We, your Majeſty's moſt dutiful and loyal Subjects, do beſeech your Majeſty that it may be enacted; be it therefore enacted by the Preſident, Council, and Aſſembly of this your Majeſty's Iſland, and it is hereby enacted and ordained by the Authority of the ſame, That Fifteen thouſand Acres,

Acres of Land, at or near *Manchionell* Harbour, and alſo Fifteen thouſand Acres of Land, at or near *Norman*'s Valley, be and are hereby re-inveſted in his Majeſty, his Heirs and Succeſſors, to be re-granted for the Uſe and Benefit of new Comers only, excluſive of, and over and above the Lands already veſted or to be veſted in his Majeſty, his Heirs and Succeſſors, by an Act, entituled, *An Act for the Eaſe and Relief of the Inhabitants of this Iſland, in building Barracks, and remedying and ſupplying ſome Defects and Omiſſions in the late Barracking Law.* 1736. Lands re-inveſted in his Majeſty, to be regranted to new Comers.

II. AND for the better Encouragement of ſuch new Comers to tranſport themſelves and Families, and to become Settlers in thoſe Parts, be it enacted by the Authority aforeſaid, That the Paſſage of ſuch new Comers, who come with Intent to ſettle any Part of the ſaid Lands, be advanced and paid by the Receiver General upon their Arrival, as alſo the Paſſage of all ſuch Slaves as each new Comer ſhall bring with him, not exceeding Twenty; but that the Paſſage of any Number exceeding Twenty, ſhall be paid by their reſpective Owners. Their Paſſage to be paid.

III. PROVIDED, That ſuch new Comers take the following Oath:

I A. B. *do ſwear, That my Deſign and Intention of coming to this Iſland is to become a Settler upon the Lands veſted in his Majeſty by virtue of an Act, entituled,* An Act for introducing of white People into this Iſland, for ſubſiſting them for a certain Time, and providing them with Land, that they may become Settlers; *or on ſome Part thereof; and that I will, as ſoon as poſſible, go upon and ſettle ſuch Land as ſhall be granted to me by virtue of the ſaid Act.* Their Oath. *Vide* Act 167, Cl. 2.

Which Oath the Receiver-General is hereby impowered and required to adminiſter.

IV. AND be it further enacted by the Authority aforeſaid, That all ſuch new Comers ſhall be ſubſiſted for the Space of Twelve Months by the Receiver-General for the Time being, in Manner following; that is to ſay, Each white Perſon with Four Barrels of Beef, and four hundred Pounds Weight of Biſcuit, or Bread; and in caſe they ſhall bring with them any Negro or other Slaves, each Negro or other Slave, not being a ſucking Child, with a Barrel of Herrings, and Four hundred Pounds Weight of Biſcuit, or Bread; to be delivered at ſuch Times, and in ſuch Proportions, as they ſhall require it of the Receiver-General: Provided, That the Subſiſtence for Slaves be not allowed to any one ſuch new Comer for more than Twenty. To be ſubſiſted by the Receiver General for 12 Months.

V. AND be it further enacted by the Authority aforeſaid, That every ſuch new Comer or Owner of Slaves ſhall, upon Application made to the Preſident, or the Commander in Chief of this Iſland for the Time being, be intitled to a Patent for Fifty Acres of Land for himſelf; and in caſe he has a Wife and Children, Fifty Acres for his Wife; for every ſuch Child, Twenty Acres; for every other white Perſon ſuch new Comer ſhall bring with him, Fifteen Acres; and for every Slave, Ten Acres: Provided the whole exceed not Three hundred Acres to any one new Comer. Intitled to 50 Acres of Land for himſelf, and 50 for his Wife, &c.

VI. AND be it enacted by the Authority aforeſaid, That the ſeveral Perſons whoſe Paſſage ſhall be paid, and thoſe who ſhall be ſubſiſted by the Publick, according to the Directions of this Act, ſhall ſtand indebted to the Publick for the Charge of ſuch their Paſſage and Subſiſtence; and ſhall be obliged, at the End of Seven Years from their firſt Arrival or receiving ſuch Subſiſtence, to pay to the Receiver-General for the Time being ſuch Charge or Charges, without any Intereſt for the ſame. To ſtand indebted to the Publick for their Paſſage and Subſiſtence.

VII. AND be it further enacted by the Authority aforeſaid, That Surveys be made of the ſaid Fifteen thouſand Acres of Land, at or near *Manchionell* Harbour, and of the ſaid Fifteen thouſand Acres of Land, at or near *Norman*'s Valley, in Six Months after the paſſing of this Act, by ſome ſworn Surveyor or Surveyors, and returned in the Secretary's Office of this Iſland, under the Hand and Seal of ſuch Surveyor or Surveyors, and there enrolled; which ſaid Survey ſo enrolled, ſhall be concluſive, and deemed ſufficient to aſcertain the Bounds of the ſaid Two ſeveral Parcels of Land: And ſuch Surveyor or Surveyors ſhall be paid for all ſuch Surveys Surveys to be made of the Lands.

1736. Surveys by his Majeſty's Receiver-General of this Iſland, at and after ſuch Rates and Allowances, and in ſuch Manner and Form, as is directed in and by an Act, entituled, *An Act for regulating Surveyors*, for re-ſurveying other Lands; which the Receiver-General is hereby ordered and directed to pay ſuch Surveyor or Surveyors, upon producing a Certificate from the ſaid Secretary of his or their returning ſuch Survey or Surveys into his Office, as before required: And if any Surveyor in ſurveying the ſaid ſeveral Parcels of Land, ſhall make any Traverſe, he ſhall for every Traverſe he ſhall ſo make, forfeit Fifty Pounds.

Preſident to order the ſaid Surveys to be begun in three Months after the paſſing this Act.

VIII. And as having thoſe Lands ſurveyed, will be an Inducement to ſuch new Comers to apply for Grants of them, it is hereby further enacted by the Authority aforeſaid, That his Honour the Preſident, or the Commander in Chief for the Time being, be, and he is hereby deſired and impowered to order the ſaid Surveys of the ſaid Two Parcels of Land ſo veſted in his Majeſty, his Heirs and Succeſſors, as aforeſaid, to be begun and proceeded upon in Three Months after the paſſing of this Act; and to appoint ſuch Guard or Guards to protect the ſaid Surveyors in running and ſettling the Bounds of the ſaid Two Parcels of Land, as he ſhall think requiſite: And that all and every Surveyor or Surveyors who ſhall neglect to purſue, or ſhall diſobey or refuſe ſuch Order or Orders as aforeſaid, ſhall, for ſuch Neglect, Diſobedience, or Refuſal, forfeit the Sum of Fifty Pounds, and be rendered incapable for ever after of acting as a Surveyor in this Iſland.

New Comers exempted from Taxes for five Years.

IX. And for the further Encouragement of ſuch new Comers, be it enacted by the Authority aforeſaid, That the Charge of patenting the Lands ſo to be granted to them, as aforeſaid, be paid for by the Publick; and that the ſaid new Comers be, and are hereby exempted and declared free from all Parochial and Poll Taxes for the Space of Five Years from the Dates of their reſpective Patents; as alſo from the Payment of any Duties or Impoſts they may be liable to, for ſuch Slaves as they ſhall bring with them with an Intention to ſettle, purſuant to the Meaning of this Act.

Not to make any other Alienation of their Lands, than by Will.

X. And be it enacted by the Authority aforeſaid, That ſuch new Comers, to whom any Lands ſhall be granted, as aforeſaid, ſhall not, nor ſhall any of them, within Seven Years after the Date of their or any of their reſpective Patents, make any other Alienation, than by Will only, of all or any ſuch Lands ſo to be granted to them, or any of them, as aforeſaid; and if any Deed, or other Conveyance, except as aforeſaid, purporting ſuch Alienation, ſhall be made of any ſuch Lands, the ſame ſhall be null and void to all Intents and Purpoſes; and in ſuch Caſe the ſaid Lands ſo intended or mentioned to be aliened otherwiſe than as aforeſaid, ſhall revert to his Majeſty, his Heirs, and Succeſſors, for the Uſes, Intents, and Purpoſes of this Act; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Preſent Proprietors paying their Quit-rents, to be repaid by the Publick.

XI. And to the Intent that no Injury may be done to the particular Proprietors of the ſaid reſpective Parcels of Land, be it enacted by the Authority aforeſaid, That every preſent Proprietor of any Parcel of Land ſo to be veſted in his Majeſty, his Heirs, and Succeſſors, as aforeſaid, who ſhall make it appear to the Receiver-General for the Time being, within Six Months after the paſſing of this Law, that he hath complied with the Payment of his Quit-rents for ſuch Parcel of Land within Three Years laſt paſt, ſhall be repaid by the Publick all ſuch Sums of Money as ſuch Proprietor hath paid for Quit-rents, together with the Charge of patenting ſuch Parcel of Land.

Who to be deemed new Comers.

XII. And to avoid any Impoſition or Diſpute that may ariſe, who ſhall be deemed new Comers within the Intention of this Act, be it enacted by the Authority aforeſaid, That all Perſons that have not reſided in this Iſland for the Space of Twelve Months immediately before the paſſing this Act, and who have not any Lands within the ſame, ſhall be deemed new Comers.

Exempted from Actions for three Years.

XIII. And be it further enacted by the Authority aforeſaid, That all ſuch new Comers ſhall be free and exempt from all Actions and Proceſſes of Law for Debts not contracted in this Iſland, *Great Britain*, or *Ireland*, for the Space of Three Years after their Arrival.

XIV. And

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XIV. AND be it enacted by the Authority aforeſaid, That all ſuch new Comers ſhall be, and are hereby obliged to begin and carry on a Settlement on ſuch Land ſo to be granted to them, as aforeſaid, within Three Calendar Months from and after the Date of their reſpective Patents; and on Failure of which, all ſuch Lands ſhall revert to his Majeſty, his Heirs and Succeſſors, for the Uſes, Intents, and Purpoſes of this Act.

To begin a Settlement within three Months from the Date of their Patents.

XV. AND be it further enacted by the Authority aforeſaid, That all Funds, and Surpluſage of Funds, not already appropriated, be, and are hereby appropriated to anſwer the Purpoſes of this Act; and in caſe the ſame ſhould be deficient, that then the Receiver General be, and he is hereby authorized, impowered, and required to take up and borrow Money at Intereſt, at and after the Rate of Ten Pounds *per Centum per Annum*, for the Purpoſes aforeſaid; which ſhall be made good to him by this or any future Aſſembly.

Funds unappropriated, to be applied to the Purpoſes of this Act.

XVI. AND be it further enacted by the Authority aforeſaid, That the Receiver General do, within Twenty Days after the paſſing of this Law, procure a Copy thereof, and cauſe this Act to be printed; and that Fifty Copies thereof be at the Diſpoſal of the Preſident, or Commander in Chief of this Iſland for the Time being; and that the Charges of printing the ſame be paid by the Receiver General, out of any Money in his Hands unappropriated; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

This Act to be printed.

An Act to prevent the malicious burning of Houſes and Plantations.

ACT 108.

WHEREAS ſeveral ill-diſpoſed miſchievous Perſons have of late been engaged in and practiſed unlawful and wicked Courſes, in burning of Houſes, and Cane-pieces, in Contempt of the Laws, and to the great Damage and Impoveriſhment of many of his Majeſty's Subjects in this Iſland: For Prevention whereof for the future, we humbly beſeech your Majeſty that it may be enacted; and be it enacted by the Preſident, Council, and Aſſembly of this your Majeſty's Iſland, and it is hereby enacted by the Authority of the ſame, That where any Perſon or Perſons, after the paſſing of this Act, ſhall unlawfully and maliciouſly burn, or cauſe to be burnt, or aid, procure, adviſe, or conſent to ſuch burning of any Manſion or Dwelling-houſe, or any inſet or outſet Houſe, being Parcel of a Manſion or Dwelling-houſe; or any Mill-houſe, Boiling-houſe, Still-houſe, Curing-houſe, Corn-houſe, or any other Houſe, properly or neceſſarily belonging to a Sugar-work or Plantation; or any Store-houſe or Wharf-houſe; or any Ship, Sloop, Canoe, or other Veſſel, having Sugar, Rum, Melaſſes, or other Goods, Wares, or Merchandize on board or in her; or any Piece of Sugar Canes, or Plantain Walk; or any Coffee, or Cocoa Trees, or ſhall pluck up, cut down, or deſtroy ſuch Trees or Plants; every ſuch Offence ſhall be adjudged Felony; and the Offenders, and all and every of them who ſhall be indicted for the ſame, and thereof be lawfully convicted, or ſhall ſtand mute, or ſhall challenge peremptorily above the Number of Twenty before the Juſtices of his Majeſty's Supreme Court of Judicature of this Iſland, ſhall be reputed and taken to be as Felons, and ſhall ſuffer Pains of Death without any Benefit of Clergy, and ſhall forfeit as in caſe of Felony; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Perſons burning any Houſe, &c. guilty of Felony.

An Act to explain and enforce the Laſt Will and Teſtament of John Wolmer, *late of* Kingſton, *Goldſmith, deceaſed; and rendering his Donation to the ſaid Town more uſeful; and for erecting and eſtabliſhing a Free-ſchool in the ſaid Town.*

ACT 109.

WHEREAS *John Wolmer*, late of *Kingston*, Goldſmith, deceaſed, by his laſt Will and Teſtament in Writing, bearing Date the One and twentieth Day of *May*, in the Year of our Lord One thouſand ſeven hundred and twenty-nine, duly proved and recorded in the Secretary's Office of this Iſland, did give

1736. and deviſe, after ſome ſmall Legacies therein mentioned, the Reſt and Reſidue of his Eſtate, for the Foundation of a Free-ſchool in the Pariſh where he ſhould happen to die; and on the Nine and twentieth Day of *June* following departed this Life in the ſaid Town and Pariſh of *Kingston*, where he had reſided upwards of Twenty Years: And whereas it appears that the ſaid Will is defective, in regard no Proviſion is made for a Houſe, nor hath the Teſtator given any Directions, or preſcribed any Rules for the good Order and Management of the ſaid Free-ſchool; whereby it becomes neceſſary to have the ſame ſettled on a proper Foundation, eſpecially ſince ſeveral well-diſpoſed Perſons have offered to ſubſcribe a conſiderable Sum to render the ſame more uſeful and complete, and others may be excited by their good Example; ſo that in Time it may become a very conſiderable and beneficial Seminary of Learning for Youth: We therefore humbly beſeech your moſt excellent Majeſty that it may be enacted; and it is hereby enacted and ordained by the Preſident, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, That the Preſident, or the Commander in Chief for the Time being, the Honourable the Four ſenior Counſellors for the Time being, the Honourable the Speaker of the Aſſembly, and the Honourable the Chief Juſtice for the Time being, and the *Cuſtos Rotulorum*, the four ſenior Magiſtrates, and the Rector of the Town of *Kingston* for the Time being, and Six of the Inhabitants of the ſaid Pariſh, ſuch as the Freeholders ſhall annually elect; together with *Michael Atkins*, the ſurviving Executor of the ſaid *John Wolmer*, ſhall be, and are hereby appointed Truſtees for the Direction and Management of the ſaid Donation, and of all Subſcriptions, Donatives, Deviſes, and Bequeſts that ſhall hereafter be given to and for the Uſe of the ſaid Free-ſchool; Seven of which Truſtees ſhall be a *Quorum*, to do Buſineſs: Provided always, That the Preſident or Commander in Chief for the Time being, the Four ſenior Counſellors, the Speaker of the Aſſembly for the Time being, the Chief Juſtice for the Time being, the *Cuſtos* of *Kingston* for the Time being, or any Two of them, ſhall be of that Number.

Truſtees of the Donation.

Truſtees, &c. incorporated.

II. And be it enacted by the Authority aforeſaid, That the ſaid Truſtees, and they who ſhall ſucceed, ſhall be Truſtees of the ſaid Free-ſchool, and of all Lands, Meſſuages, Tenements, and Hereditaments, which ſhall or may be given by any Perſon or Perſons whatſoever, or purchaſed by the ſaid Truſtees, or their Succeſſors, for the Uſe and Benefit of the ſaid Free-ſchool, at all Times hereafter for ever: And that the ſaid Truſtees and Free-ſchool ſhall for ever ſtand, and be incorporated, in Name and in Deed, a Body Politick, incorporate by the Name of *The Truſtees of* Wolmer's *Free-ſchool*; and that by that Name they and their Succeſſors ſhall and may for ever hereafter have, hold, and enjoy the ſaid Free-ſchool, and all Lands, Meſſuages, Tenements, and Hereditaments, and all Gifts, Donations, Benefactions, or Deviſes, which at any Time hereafter ſhall be given and purchaſed for the Uſe and Benefit of the ſaid Free-ſchool.

To act as ſuch.

III. And be it enacted by the Authority aforeſaid, That the ſaid Truſtees, and their Succeſſors, or the major Part of them, by the ſame Name, ſhall and may have Power and Ability to place out at Intereſt, on good and ſufficient Security, any Donations, Benefactions, or Subſcriptions in Money; and to demiſe, ſell, and leaſe ſuch Poſſeſſions and Hereditaments, as ſhall or may be given or purchaſed, as aforeſaid; and to take, acquire, and purchaſe; to ſue, and to be ſued; and to do, perform, and execute all and every lawful Act and Thing, good, neceſſary, and profitable for the ſaid Corporation, in as full and ample Manner and Form, to all Intents, Conſtructions, and Purpoſes, as any other Corporation, or Body Politick and Corporate, fully and perfectly incorporated, may or ought to do: And that they the ſaid Truſtees, and their Succeſſors, may have and uſe a Common Seal, for the making, granting, and demiſing of ſuch their Demiſes or Leaſes, and for the doing of all and every other Things, touching, or in any wiſe concerning or appertaining to the ſaid Corporation; in which Seal ſhall be engraven the Sun breaking through a Cloud; and that the ſaid Seal ſhall be depoſited and kept in the Hands of the *Cuſtos Rotulorum* of the ſaid Town of *Kingston* for the Time being.

IV. And be it enacted by the Authority aforeſaid, That the ſaid *Michael Atkins*, the ſurviving Executor of the ſaid *John Wolmer*, and the Executors of *Samuel Kemermain*,

Kemermain, deceaſed, who was the other Executor of the ſaid *John Wolmer*, ſhall be, and are hereby required within Forty Days after the paſſing of this Act, to render an Account of the Profits and Produce of the ſaid *John Wolmer*'s Eſtate, together with the Intereſt ariſing or accruing on the ſame, to the other Truſtees of the ſaid Free-ſchool, or the major Part of them, and to pay over the Balance that ſhall appear to be due, or aſſign over ſuch Securities as they have taken for the ſame, or any Part thereof; and upon their ſtating and adjuſting the ſaid Accounts, and paying the Balance, or aſſigning the Securities in their Hands in the Manner aforeſaid, the ſaid Truſtees, or the major Part of them, ſhall be, and are hereby impowered to execute a Releaſe and Acquittance to the Executors of the ſaid *Samuel Kemermain*, and the ſaid *Michael Atkins*, his Heirs or Aſſigns; which Releaſe or Acquittance ſhall be a full Diſcharge and Indemnification to them, and every of them; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. 1736.

Executors to render an Account of the Profits of the Eſtate within 40 Days.

V. And be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Truſtees, and their Succeſſors, to erect or build a proper Houſe, with Out-houſes; and to endow the ſame in Proportion to their Revenues; and until the ſaid Houſe can be conveniently built, to hire one ſuch as they ſhall think fit for the Purpoſe, for the Abiding, Dwelling, and neceſſary Uſe of one or more Maſters or Uſhers, for inſtructing Youth without Charge, in Reading, Writing, Arithmetick, Latin, Greek, the Mathematicks, and any other Parts of Learning the ſaid Truſtees ſhall think proper.

Truſtees to erect a School-houſe, &c.

VI. And that they the ſaid Truſtees, and their Succeſſors, or the major Part of them, ſhall have full Power and Authority to nominate and appoint ſuch Perſon or Perſons as they ſhall think proper or qualified, to be Maſters and Uſhers of the ſaid School, provided they be of the Religion of the Church of *England*, and are well affected to the Proteſtant Succeſſion.

To appoint Maſters and Uſhers.

VII. And upon any Miſbehaviour or Diſability, to remove the ſaid Maſters or Uſhers, or any of them; and when any of them, by Deprivation, Reſignation, or Death, ſhall become void, the ſaid Truſtees, and their Succeſſors, ſhall and may, within Three Months after ſuch Voidance, by Writing under their Common Seal, appoint one or more, qualified as aforeſaid, in the Place of them, and every of them ſo deprived, reſigning, deceaſing, or becoming void.

To remove them on Miſbehaviour, &c. and appoint others in their Stead.

VIII. And be it enacted by the Authority aforeſaid, That the ſaid Truſtees, or their Succeſſors, or the major Part of them, ſhall and may receive into the ſaid Free-ſchool as many Children as they ſhall think proper, in Proportion to the Revenues of the ſaid School; and upon any Miſbehaviour or Inability, or upon their attaining the Age of Eighteen, to remove or diſcharge them, or any of them, and to take and receive others into the ſaid Free-ſchool, in their Place and Stead: And that the ſaid Truſtees, or their Succeſſors, or the major Part of them, ſhall and may, from time to time, expend ſuch Sum or Sums of Money, in Proportion to the Revenues of the ſaid School, in and about the repairing, maintaining, upholding, or enlarging the ſaid School, and Buildings thereunto belonging, as they ſhall think convenient, requiſite, and neceſſary.

To receive as many Children into the Free-ſchool as they ſhall think proper, &c.

IX. And be it enacted by the Authority aforeſaid, That the ſaid Truſtees, and their Succeſſors, or the major Part of them, ſhall and may have full Power and Authority, under the ſaid Common Seal, to make, ordain, and preſcribe ſuch Rules and Ordinances, for the good Order and Government of the ſaid Free-ſchool, and of the ſaid Maſters, Uſhers, and Children, and for ſettling their and every of their Stipends and Allowances, as to them ſhall ſeem meet, convenient, and neceſſary; and that the ſaid Rules and Ordinances, by them, or the major Part of them ſo made, ordained, and preſcribed, as aforeſaid, ſhall ſtand and be in full Force and Strength in Law, the ſame not being repugnant or contrary to his Majeſty's Prerogative, nor the Laws and Statutes of *England* and this Iſland.

To make Rules for the Government of the ſaid School, &c.

X. And that the ſaid Truſtees, and their Succeſſors, or the major Part of them, ſhall and may have full Power and Authority to viſit the ſaid School, and to order, reform, and redreſs all Diſorders and Abuſes in and touching the Government and Management of the ſame, in ſuch Manner, and at ſuch Times, as to them ſhall ſeem fit.

and viſit it.

XI. And

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Not to borrow, &c. any Money given to the School.

XI. And be it enacted by the Authority aforeſaid, That it ſhall not be lawful for any of the Truſtees, or their Succeſſors, to keep in his or their Hands above Thirty Days, or to apply to his or their own Uſe and Benefit, or to take or borrow, on Intereſt, any Sum or Sums of Money, given to or for the Uſe of the ſaid Free-ſchool, or that ſhall ariſe or become due for Intereſt or Rent; nor ſhall they, or any of them, buy, ſell, rent, or leaſe any of the Lands, Tenements, or Hereditaments, which may be ſettled, purchaſed, or given for the Uſes aforeſaid.

Penalty on offending againſt this Act.

XII. And be it enacted by the Authority aforeſaid, That any Perſon or Perſons offending, or acting contrary to the true Intent and Meaning of this Act, ſhall forfeit the Sum of Five hundred Pounds; one Third to his Majeſty, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland; one Third to and for the Uſe of the ſaid Free-ſchool; and the other Third to the Informer, or him or them who ſhall ſue or proſecute for the ſame; to be recovered by Bill, Plaint, or Information in any of the Courts of Record in this Iſland, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed, or *Non vult ulterius proſequi* entered; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

An Act for impowering William Peete *to keep the Ferry, and erect a Toll-gate, or Turnpike, between St.* Catharine's *and St.* Andrew's, *and taking up runaway Negroes.*

Act 110.

WHEREAS a Road and Paſſage by Land, between the Pariſhes of St. *Catharine* and St. *Andrew*, has been heretofore found of great Uſe and Advantage to the whole Iſland, as being an eaſy, ſafe, and near Communication to the ſeveral Precincts: And whereas it will be requiſite and neceſſary that the old Road ſhould be amended, or a new Road made; and that a Ferry ſhould be kept, for an Accommodation and Paſſage over the River *Cobre*, and the Bridge kept in Repair, which cannot be effected or done without great Expence and Charge: And whereas *William Peete* hath undertaken the making a good Road, and keeping the ſame, and the ſaid Bridge in conſtant Repair, and keeping a Ferry duly attending for ſuch Purpoſes: For the Encouragement therefore of ſo good and neceſſary a Work, may it pleaſe your Moſt Excellent Majeſty that it may be enacted; and be it therefore enacted by the Preſident, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted by the Authority of the ſame, That the ſaid *William Peete*, his Heirs and Aſſigns, be, by this Act, impowered and authorized, for the Space of Fourteen Years from the paſſing of this Act, to aſk, demand, and receive, as a Duty and Toll, for the tranſporting of any Perſon over the ſaid River, when neceſſary, and for the Paſſage of any Perſon, Cattle, Mules, Sheep, Hogs, or other Stock, through the ſaid Turnpike, on or along the ſaid Road, the following Toll or Duty; *viz.* For every grown horned Beaſt, Seven Pence Half-penny; for every Horſe, Seven Pence Half-penny; for Sheep, Goats, and Hogs, Five Shillings *per* Score, and ſo in Proportion for a greater or leſſer Number; for a Coach, Chariot, or four Wheel Chaiſe, with four or ſix Horſes, Coachman, Poſtilion, and Footman, at the Rate of Seven Pence Half-penny for each Horſe; and for a two Wheel Chaiſe, and Horſe or Horſes, Fifteen Pence; and for a Wain or Cart, including Cattle and Carmen, Seven Pence Half-penny; for each Beaſt, and for every Perſon that ſhall be ferried over, Seven Pence Half-penny; and that no Perſon, Carriage of any Sort, Horſe, Cattle, Sheep, Goats, or Hogs paſſing to and fro, between Sunriſe and Sun-ſet, ſhall be obliged to pay the ſaid Toll more than once in one Day; for which Purpoſe, and to prevent any Diſputes that may ariſe about the ſaid Toll, the ſaid *William Peete* ſhall, and is hereby obliged to give to each Perſon paying the Toll, and declaring his or her Intention to return again the ſame Day, a Ticket; which Ticket being returned the ſame Day, ſhall intitle him or her, with their ſeveral Conveniencies, to repaſs without any further Toll: And that the ſaid *William Peete*, his Heirs and Aſſigns, may and ſhall erect and build a Toll-gate or Turnpike at the Bridge which divides the ſaid Pariſhes.

Toll granted for 14 Years.

Rates of the Toll.

Perſons paſſing and repaſſing the ſame Day, not to pay twice.

II. And

1736.

II. AND it is hereby further enacted and ordained by the Authority aforeſaid, That the ſaid *William Peete*, his Heirs and Aſſigns, be by this Act impowered and authorized, and the ſaid *William Peete*, his Heirs and Aſſigns, are hereby impowered and authorized, during the ſaid Term of fourteen Years hereby limited, to nominate, conſtitute, appoint, and keep, and in his Place and Stead, to put one or more white Men at the ſaid Ferry and Turnpike, as Occaſion ſhall be, or he ſhall think proper, to aſk, demand, and receive ſuch Duty or Toll for the tranſporting, if neceſſary, of any Cattle or Things over the ſaid River, or along the ſaid Road, the ſeveral Sums of Money by this Act limited.

Collectors to be appointed.

III. PROVIDED always, That if the ſaid *William Peete*, or his Aſſigns, ſhall not ſufficiently repair, finiſh, and compleat the ſaid Way and Paſſage over *Rio Cobre* in the Pariſh of St. *Catharine*, to *Water-houſe Paſture* in the Pariſh of St. *Andrew*, within Twelve Months from and after the making of this Act, and that in all Places it be not leſs than Sixteen Foot broad; that the aforeſaid Limitation of the Rates which ſhall be paid by virtue of this Act, or any Letters Patent, granted or to be granted for the ſame, ſhall ceaſe, determine, and be utterly void.

Toll to ceaſe, if the Road, &c. is not finiſhed within 12 Months.

IV. AND be it further enacted and ordained by the Authority aforeſaid, That no other Perſon whatſoever preſume to erect, maintain, or keep a Ferry or Raft over the ſame River for Hire; or erect, build, maintain, or keep any other Toll-gate or Turnpike upon the ſaid Road, for the Space of Fourteen Years after the paſſing hereof, under the Penalty of One hundred Pounds, current Money of this Iſland, for every Offence; the one Half to be for our Sovereign Lord the King, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; the other Half for the ſaid *William Peete*, his Heirs or Aſſigns, or him or them that ſhall inform or ſue for the ſame; to be recovered by Action of Debt, Bill, Plaint, or Information, in his Majeſty's Supreme Court of Judicature within this his Majeſty's Iſland, wherein no Protection, Wager of Law, Eſſoin, or Injunction ſhall be allowed.

Penalty on keeping any other Ferry over the River, or erecting Turnpikes upon the Road.

V. AND be it further enacted by the Authority aforeſaid, That the ſaid *William Peete* be, and he is hereby impowered to examine all Negroes, and other Slaves travelling that Way without Letters or Tickets, and to detain and ſend them to the Owners, if known; or, if not known, to the common Gaol; for each of which he ſhall receive the uſual Mile-money allowed for taking up of runaway Negroes.

Negroes travelling that Way, to be examined, &c.

VI. AND be it further enacted by the Authority aforeſaid, That if the ſaid *William Peete* ſhall in any thing neglect his Duty, or offend contrary to the true Intent and Meaning of this Act, he ſhall for every ſuch Neglect or Offence forfeit the Sum of Fifty Pounds; to be recovered in the Supreme Court of Judicature of this Iſland, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoin, Protection, Imparlance, Injunction, or Wager of Law ſhall be granted or allowed, or *Non vult ulterius proſequi* be entered; one Moiety thereof to his Majeſty, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other to the Informer, or him or them that ſhall ſue or proſecute for the ſame; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Penalty on *William Peete*'s neglecting his Duty.

VII. AND be it further enacted by the Authority aforeſaid, That *Edward Garthwait*, Eſq; for the Pariſh of St. *Andrew*, *James Knight*, Eſq; for the Pariſh of *Kingston*, and *Roſe Fuller*, Eſq; for the Pariſh of St. *Catharine*, or ſuch other Perſon as the Juſtices and Veſtry of the reſpective Pariſhes ſhall chooſe in the Room of any of them who ſhall happen to die or go off this Iſland, be, and they are hereby appointed Commiſſioners for the ſaid Road, with Power to ſuperintend and direct the repairing, finiſhing, and compleating the ſame; and to hear and determine all Diſputes that may ariſe about the ſame, or the Toll to be taken thereon.

Commiſſioners Names.

1736. *An Act to prevent the Abuſes committed by entertaining, concealing, or carrying off any of his Majeſty's Soldiers, any white Men or Women, Servants or Slaves, belonging to any of the Inhabitants of this Iſland, without Tickets; and for the better regulating Servants, and deciding Differences between Maſters and Servants.*

Act 111. WHEREAS the Number of white People reſiding in this Iſland is of the greateſt Conſequence to its Security, as well againſt all foreign Enemies, in caſe of War, as againſt the rebellious Negroes: For the better ſecuring and keeping white Servants and others in this Iſland, may it pleaſe your Majeſty that it may be enacted; be it therefore enacted by your Majeſty's Preſident, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted by the Authority of the ſame, That from and after the firſt Day of *February* next, no Captain, Maſter, or Commander of any Ship or Veſſel, or other Perſon whatſoever, ſhall entertain, hide on ſhore or on board, or carry off, or attempt to carry off this Iſland, either a Sailor or Paſſenger, or upon any other Pretence whatſoever, any Soldier of any of the Independent Companies now, or that hereafter ſhall be in this Iſland, without a ſufficient Diſcharge from the Captain of the Company he belongs to; or any white Perſon, lately indented or hired, without a Diſcharge from ſuch white Perſon's laſt lawful Employer, and alſo a Certificate from any one Juſtice of the Peace, of the Pariſh or Precinct where ſuch white Perſon laſt reſided, that the ſaid white Perſon is free, and not indented or hired to any Perſon whatſoever, or that ſuch white Perſon had ſerved out his or her Time according to his or her Agreement, under the Penalty of Two hundred Pounds for every ſuch Offence; to be recovered of and from any Maſter, Commander, or Captain of any Ship or Veſſel, who ſhall be guilty of any ſuch Offence, or his Security in the Secretary's Office, in the Supreme Court of Judicature of this Iſland, by Action of Debt, Bill, Plaint, or Information, wherein no Injunction, Eſſoin, Protection, *Non vult ulterius proſequi*, or Wager of Law ſhall be granted or allowed; any Law, Cuſtom, or Uſage to the contrary notwithſtanding: And that the Maſter or Miſtreſs of ſuch Perſon, or the Perſon ſo found on board, or carried off, ſhall be good Evidence againſt the Perſon ſo offending, or his Security.

Commanders of Ships not to entertain or carry off any Soldier, &c. without a Diſcharge from his Captain, &c.

Penalty on concealing ſuch.

II. And be it further enacted by the Authority aforeſaid, That from and after the ſaid firſt Day of *February* next, no Perſon whatſoever ſhall hide, hire, conceal, employ, or entertain any Perſon, who now is, or hereafter ſhall be a Soldier in any of his Majeſty's Independent Companies; or any white Perſon who now is, or ſhall be the hired or indentured Servant of any other Perſon; or who has not a ſufficient Diſcharge from his Captain or Commander, or from his laſt Maſter or Employer, atteſted and certified to be true and genuine, under the Hand of any one Juſtice of the Peace in the Pariſh or Precinct where ſuch Soldier, Servant, or white Perſon laſt reſided and lived, under the Penalty of Twenty Pounds; to be recovered of and from the Perſon ſo hiring, hiding, concealing, employing, or entertaining ſuch Soldier, Servant, or white Perſon, without ſuch Diſcharge and Certificate, as aforeſaid; to be recovered in the Supreme Court of Judicature in manner aforeſaid.

Soldiers, &c. admitted as Evidence againſt ſuch Offenders.

III. And be it further enacted by the Authority aforeſaid, That any Soldier or white Perſon ſo detained, hidden, hired, concealed, employed, or entertained, ſhall be deemed and allowed to be good Evidence againſt all and every Perſon and Perſons ſo offending.

IV. And whereas it is a common Practice for Maſters and Commanders of Ships and other Veſſels, to entertain and work on board their ſaid Ships and Veſſels, in the Harbours of this Iſland, the Slaves of the Inhabitants, which gives an Opportunity to carry ſuch Slaves off the Iſland: For Remedy whereof, be it further enacted by the Authority aforeſaid, That whatever Maſter or Commander of any Ship or Veſſel ſhall entertain, work, or ſuffer or permit to be entertained

entertained or wrought on board ſuch Ship or Veſſel, any Slave belonging to any Inhabitant in this Iſland (other than the proper Slaves of ſuch Maſter or Commander) without hiring him from the Owner, or having a Certificate from the *Cuſtos Rotulorum*, or any two Juſtices of the Peace of the Precinct wherein the Owner of ſuch Slave reſides, that ſuch Slave is at Liberty from his Owner to hire himſelf; which Certificate ſhall contain the Names of the Owner, and of the Slave, and the Place of the Reſidence of ſuch Owner, and for how long Time ſuch Slave is at Liberty to hire himſelf; ſuch Maſter, or Commander of Ships or other Veſſels, offending as aforeſaid, ſhall, over and above all other Penalties, forfeit the Sum of One hundred Pounds, to be recovered before any Two Juſtices of the Peace; who are hereby impowered to ſummon before them all ſuch Offenders, and to hear and determine ſuch Offence, and to commit ſuch Offender or Offenders to the common Gaol, there to remain without Bail or Mainprize, until he hath paid the ſaid Forfeiture; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. 1736. Commanders of Ships not to work any Slave without hiring him from his Owner.

V. AND for the better preventing ſuch Practices, be it enacted by the Authority aforeſaid, That the Maſter or Commander of any Ship, Sloop, or Veſſel, ſhall, upon his Entry, take the following Oath:

I A. B. *do ſwear, That I have not, nor will hire any Negro Slave, but from the Owner, or ſuch as have or ſhall have a Certificate from the* Cuſtos Rotulorum, *or Two Juſtices of the Peace of the Pariſh or Precinct where the Owner of ſuch Negroe Slave reſides, purporting that ſuch Negroe Slave is at Liberty to hire himſelf.* Commander's Oath.

Which Oath the Secretary of this Iſland, or his lawful Deputy, is hereby impowered and required to adminiſter, under the Penalty of Twenty Pounds for each Neglect or Refuſal.

VI. AND be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons that ſhall run away with or carry off, or attempt to run away with or carry off any other Perſon's white Servant, Negroe or Negroes from this Iſland, and be taken in the Attempt, and convicted thereof, ſhall be guilty of Felony, without Benefit of Clergy, and ſuffer as ſuch; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. Carrying off Negroes, &c. Felony.

VII. AND whereas by an Act, entituled, *An Act for regulating Servants*, ſufficient Proviſions have not been made to decide Differences between Maſters and Servants: For Remedy whereof, be it further enacted by the Authority aforeſaid, That in caſe any Servant, either indented or hired, ſhall any ways miſbehave himſelf during the Time of ſuch his Indenture, Service, or Contract; on Complaint thereof, or of any ſuch Miſdemeanor or Miſbehaviour, ſuch Juſtice ſhall either aſſociate or call in ſome other Juſtice in the Pariſh where the Crime or Offence ſhall be committed, and the ſaid Juſtices are hereby impowered to hear and determine ſuch Complaint, and to inflict ſuch Puniſhment as to them ſhall ſeem convenient, according to the Nature of the Caſe, not extending to Life or Member; which Judgment the Provoſt-marſhal, or his lawful Deputy, in the Precinct where ſuch Trial has been, ſhall execute, under the Penalty of Fifty Pounds; to be recovered in the Supreme Court of Judicature of this Iſland, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoin, Protection, Injunction, *Non vult ulterius proſequi*, or Wager of Law ſhall be granted or allowed; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. Juſtices to inflict Puniſhment on Servants miſbehaving themſelves.

VIII. AND be it further enacted by the Authority aforeſaid, That all Differences hereafter to ariſe between Maſter and Servants, hired, contracted, or indented (Overſeers of Sugar Works, or Sugar Plantations, excepted) ſhall be fully heard and determined before any Two Juſtices of the Peace of the Pariſh or Precinct where any ſuch Difference ſhall happen or ariſe, without Appeal from any ſuch Determination, although the Sum or Sums of Money ſo determined or adjudged ſhall exceed Forty Shillings, or Twenty Pounds, or any other Sum whatſoever; one Act, entituled, *An Act impowering Juſtices of the Peace to decide Differences not exceeding Forty Shillings*; and one other Act, entituled, *An Act for eſtabliſhing Courts,* Differences between Maſters and Servants, &c. to be decided by two Juſtices.

1736. *Courts, and directing the Marſhal's Proceedings*, or any other Act, Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding.

Penalties how to be levied and applied.

IX. And be it further enacted by the Authority aforeſaid, That all Penalties and Forfeitures in this Act mentioned, ſhall be one Moiety, or Half-part thereof to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Moiety or Half-part to the Informer, or him or them that ſhall proſecute for the ſame.

This Act to be printed in the *Courant*, &c.

X. And be it further enacted by the Authority aforeſaid, That the Receiver-General do, within one Month after the paſſing of this Act, cauſe the ſame to be put into the *Courant* three ſeveral Times; one of which *Courants* ſhall be tranſmitted to the Judges of the ſeveral Courts of this Iſland, and to the ſeveral *Cuſtos's* and Commanding Officers in each Pariſh, to be read at every Quarter-ſeſſions, and at the Head of every Company of the Militia in this Iſland, the Charge whereof ſhall be allowed him out of any Money unappropriated in his Hands; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

An Act for regulating of Pilots.

Act 112. WHEREAS the Ships of War his Majeſty is pleaſed to ſend hither from time to time for the Protection and Security of this Iſland, as well as the Trade and Navigation from all Parts, are greatly expoſed, through the Ignorance and Unſkilfulneſs of ſeveral Perſons pretending to be Pilots, who are not qualified for ſo great a Truſt, and by Negroes being frequently employed in that Service, the Conſequence of which may be very pernicious, if not deſtructive to this Iſland, as well as to Trade: For Remedy whereof, we humbly beſeech your moſt Excellent Majeſty that it may be enacted; and it is hereby enacted by

Pilots to have a Certificate from the Commiſſioners,

the Preſident, Council, and Aſſembly of the Iſland of *Jamaica*, That from and after the paſſing of this Act, no Perſon ſhall preſume to act, or take upon himſelf the Charge of any Ship or other Veſſel, as a Pilot, without firſt obtaining a Certificate under the Hands and Seals of the Commiſſioners hereafter to be appointed for that Purpoſe, and taking the following Oath before the *Cuſtos Rotulorum* of *Port-Royal* or *Kingſton*, or any two Magiſtrates of the ſaid Towns, who are likewiſe obliged to give a Certificate of the ſame under their Hands and Seals:

and take this Oath,

I A. B. *do ſwear, that I will faithfully, diligently, and truly pilot all Ships and other Veſſels entruſted to my Care, to the beſt of my Skill and Knowledge; and that I will not undertake to conduct any Ship or other Veſſel into or out of any Harbour, Port, Creek, or Bay of this Iſland, where I am not well acquainted with the Channel, Shoals, and Quays:*

So help me God.

under the Penalty of 500 *l.* and a Year's Impriſonment.

II. And if any Perſon ſhall take upon him the Charge of piloting any Ship or other Veſſel, who is not qualified, or has not obtained proper Certificates in the Manner aforeſaid, every ſuch Perſon ſhall forfeit the Sum of Five hundred Pounds, and ſuffer Twelve Months Impriſonment; one Half of which Penalty of Five hundred Pounds ſhall be to his Majeſty, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Half to the Informer, or him, her, or them who ſhall ſue or proſecute for the ſame; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

The Governor to appoint ſeven Commiſſioners.

III. And be it further enacted by the Authority aforeſaid, That the Governor, or Commander in Chief for the time being, be, and he is hereby deſired and impowered to appoint Seven able and experienced Maſters and Commanders of Merchant Ships, and other Veſſels, to be Commiſſioners, for the Examination and Appointment of Pilots in the Manner aforeſaid.

Penalty on Perſons employing Negroes to pilot Ships.

IV. And be it further enacted by the Authority aforeſaid, That no Perſon ſhall hereafter employ a Negro to take Charge of a Ship, or other Veſſel, as a Pilot, under

under the Penalty of Fifty Pounds; and whoſoever ſhall offer, or hire out a Negroe to be employed in that Service, ſhall be under the like Penalty; to be recovered before any Two Judges of the Supreme or Grand Court, or Three Juſtices of the Peace; one Half to the Informer, or Perſon that ſhall proſecute for the ſame; and the other Half to the Poor of the Pariſh where the Offender reſides. 1736.

V. PROVIDED nevertheleſs, That in regard there is not at preſent a ſufficient Number of Pilots for the Trade, eſpecially upon the coming in or going out of a Fleet, or any Number of Ships; be it enacted by the Authority aforeſaid, That *Maryland* and *Briſtol*, belonging to *Joſeph Wait*, of *Port Royal*; and *Deptford* and *Blackwall*, belonging to *Edward Glaſs*, of the ſame Place, or either of them, ſhall and may, at the coming in or going out of a Fleet, or any Number of Ships, in caſe a ſufficient Number of white Pilots ſhould not offer themſelves, take Charge of any Ship or other Veſſel, for and during the Space of Six Months from and after the paſſing of this Act; any thing to the contrary in this or any other Act notwithſtanding. Proviſo.

VI. AND for the Encouragement of good and able Pilots, be it enacted by the Authority aforeſaid, That all Merchant Ships, and other Veſſels, bound into *Port Royal*, or into any Harbour, Bay, or Creek of this Iſland, be, and are hereby obliged to make uſe of the firſt Pilot that ſhall tender his Service, or be obliged, in caſe of Refuſal, to pay the Fee appointed by this Act; to be recovered before any one of his Majeſty's Juſtices of the Peace. Merchant Ships to take the firſt Pilot that offers himſelf, or pay the Fee.

VII. PROVIDED nevertheleſs, That no Pilot ſhall be intitled to his Fee or Gratuity for bringing in any Ship or other Veſſel, unleſs he is taken on board, or tenders his Service at leaſt one League to the Eaſtward of *Plumb Point*, or the ſame Diſtance beyond any Quay or Shoal without that or any other Harbour, Port, Bay, or Creek in this Iſland; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. Proviſo.

VIII. AND be it further enacted by the Authority aforeſaid, That all Merchant Ships and other Veſſels, ſhall hereafter pay the following Rates or Fees for Piloting, to be recovered before any one of his Majeſty's Juſtices of the Peace, *viz.* For piloting a Ship into *Port Royal*, Two Pounds; for a Brigantine, or Snow, Thirty Shillings; and for a Sloop, or Scooner, Twenty Shillings; and the like Sums for carrying any of them out of the Harbour, clear of the Quays or Shoals. For piloting a Ship into *Old Harbour*, Six Pounds; for piloting a Brigantine, or Snow, Three Pounds; for a Sloop, or Scooner, Thirty Shillings; and the like Sum for carrying any of them out again, clear of the Quays or Shoals: And that they ſhall have and receive for piloting a Ship into any other Port, Harbour, Bay, or Creek of this Iſland, Three Pounds; for a Brigantine, or Snow, Thirty Shillings; and for a Sloop, or Scooner, Twenty Shillings; and the like Sum for carrying them out again. Rates for Piloting.

IX. AND be it further enacted by the Authority aforeſaid, That the Pilots of *Port Royal* and *Kingston* ſhall, at their own proper Coſts and Charge, buoy out or ſtake the Channel between thoſe Two Harbours; and from time to time keep them in ſufficient Repair, and make them good, under the Penalty of Fifty Pounds for every Offence. Pilots to take care of the Channel.

X. AND be it further enacted by the Authority aforeſaid, That all Foreign Ships, or other Veſſels, bound from *Port Royal* to *Kingston*, or from *Kingston* to *Port Royal*, ſhall be, and are hereby obliged to make uſe of a Pilot, or to pay the following Fee to the firſt Pilot that tenders his Service, in caſe of Refuſal; *viz.* For a Ship, Two Pounds; for a Brigantine, or Snow, One Pound Ten Shillings; and for a Sloop, or Scooner, One Pound, for bringing them from *Port Royal* to *Kingston*, and the ſame Sums for carrying them down. Foreign Ships to make uſe of a Pilot, or pay the Fee.

XI. AND be it further enacted by the Authority aforeſaid, That for the further Encouragement of the Pilots, and to prevent at any time the Delay or Detainment of any Ship or Veſſel, the Pilots are hereby exempted from ſerving in any parochial or publick Duty or Office, the Militia only excepted. Pilots exempted from parochial Duties, &c.

1736. *An Act to explain an Act, entituled,* An Act for regulating of Pilots, *paſſed in* November, *One thouſand ſeven hundred and thirty-ſix.*

Act 113. WHEREAS, from the Scarcity of Pilots, occaſioned through the too great Reſtrictions and Difficulties of obtaining ſuch Requiſites as are neceſſary for a qualified Pilot, within the Intent and Meaning of an Act, entituled, *An Act for regulating of Pilots*, ſeveral Ships and other Veſſels from *Great Britain*, and other Parts, have been in Danger of being loſt upon this Coaſt; to the great Diſcontent of the Owners, Proprietors, and others concerned; and great Loſs and Damage may happen to his Majeſty's Subjects, and others, by the Want of a ſufficient Number of able qualified Pilots, unleſs timely prevented: For Remedy of which, may it pleaſe your moſt Excellent Majeſty that it may be enacted; be it therefore enacted by the Preſident, Council, and Aſſembly of this your Majeſty's Iſland, and it is hereby enacted and ordained by the Authority of the ſame,

Pilots to be appointed without a Certificate.

That it ſhall and may be lawful for the Preſident, or Commander in Chief of this Iſland for the Time being, to authorize and appoint ſuch white Perſon and Perſons as ſhall be recommended to him, and that ſhall have taken ſuch Oath in ſuch Manner, and before ſuch Magiſtrate, and that is otherwiſe qualified, as in and by the ſaid Act is directed, although they have not obtained ſuch Certificate as by the ſaid Act is required.

The Channel to be buoyed out in Three Months.

II. And be it further enacted by the Authority aforeſaid, That the Channel between *Port Royal* and *Kingston* ſhall be buoyed out, as in and by the ſaid Act is directed, within the Space of Three Months, under the Penalty of Two hundred Pounds.

How far Pilots are to attend.

III. And be it further enacted by the Authority aforeſaid, That the Pilots, to intitle themſelves to Pilotage, ſhall attend one League at leaſt to the Eaſtward of *Yellows Bay*.

Preſident may appoint Negroes on a Deficiency of white Pilots.

IV. And be it further enacted by the Authority aforeſaid, That until there be a ſufficient Number of qualified white Pilots, or in caſe of the Death or Sickneſs of the Negroe Pilots allowed by the ſaid Act, it ſhall and may be lawful for the Preſident, or Commander in Chief of this Iſland for the Time being, to appoint ſuch and ſo many other Negroe Pilots, for whoſe Skill, Diligence, and Ability the Maſter or Owner ſhall be anſwerable, as ſhall be found neceſſary.

Differences how to be determined.

V. And be it further enacted by the Authority aforeſaid, That no Sugar-droger or Turtler ſhall be deemed or taken to be within the Intent or Meaning of the ſaid Act; and all Differences and Diſputes that may happen between the Pilot or Commander of any Veſſel, ſhall be heard and finally determined by any Two Juſtices of the Peace of the Pariſhes or Precincts of *Port Royal* or *Kingston*, upon Application to them made to that End.

Penalties how to be recovered and applied.

VI. And be it further enacted by the Authority aforeſaid, That all Penalties in this Act mentioned, ſhall be recovered in the Supreme Court of Judicature of this Iſland, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoin, Protection, Injunction, Imparlance, or Wager of Law ſhall be granted or allowed, or *Non vult ulterius proſequi* be entered; and one Moiety thereof ſhall be to the Uſe of his Majeſty, his Heirs and Succeſſors, for and toward the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Moiety to the Informer, or him, her, or them who ſhall ſue or proſecute for the ſame; any thing in the ſaid Act, or any other Law, Cuſtom, or Uſage to the contrary notwithſtanding.

An

An Act to enable the Inhabitants of the Pariſh of St. Anne *to build a Barrack at or near the Head of* Rio Bueno, *which divides the Pariſh of St.* Anne *from the Pariſh of St.* James, *and to exempt them from their further contributiug to the building of any other Barrack; and for paying the Officers of the Barrack at the* Little Maneagne. 1737.

ACT 114.

WHEREAS the building a Barrack near the Head of *Rio Bueno*, which divides the Pariſh of St. *Anne* from the Pariſh of St. *James*, will be of the greateſt Advantage to the Inhabitants of the ſaid Pariſh of St. *Anne*, and particularly to thoſe of the Weſtermoſt Part thereof: Therefore, for the effecting the ſame, may it pleaſe your moſt Excellent Majeſty that it may be enacted; be it therefore enacted by the Preſident, Council, and Aſſembly of this your Majeſty's Iſland, and it is hereby enacted by the Authority of the ſame, That Forty Acres of Land, at or near the Head of *Rio Bueno* above mentioned, be, and the ſame is hereby veſted in his Majeſty, his Heirs and Succeſſors, for the Uſe of the ſaid Barrack; any former Patent, Grant, or Conveyance, Title, or Poſſeſſion thereof, or of any Part thereof, notwithſtanding.

Land veſted in the Crown for a Barrack.

II. PROVIDED, The ſaid Forty Acres of Land, ſo veſted or to be veſted in his Majeſty, his Heirs and Succeſſors, for the Uſe of the ſaid Barrack, be not within Two Miles of any Settlement already made; and that the ſame be laid out with as little Prejudice to any Perſon, as conveniently may be.

Proviſo.

III. AND be it further enacted by the Authority aforeſaid, That the ſaid Forty Acres of Land, veſted or to be veſted in his Majeſty, his Heirs and Succeſſors, as aforeſaid, ſhall, within Two Calender Months from the paſſing this Act, be run out and aſcertained in Manner aforeſaid, by any ſworn Surveyor, at the Rates by Law now allowed other Surveyors for the like Service, and in ſuch Manner as ſhall be appointed by the Juſtices and Veſtry of the ſaid Pariſh of St. *Anne*, or the major Part of them; and that the Plat of the ſaid Forty Acres of Land, when ſo run out and ſurveyed, ſhall be returned into the Secretary's Office of this Iſland, and there enrolled.

The ſaid Land to be ſurveyed, &c.

IV. AND be it further enacted by the Authority aforeſaid, That the Juſtices and Veſtry of the Pariſh of St. *Anne*, or the major Part of them, be, and they are hereby impowered and required, within Twelve Calender Months from the paſſing of this Act, to build a Stone Barrack, with Flankers, of ſuch Largeneſs, Dimenſions, and Proportions, and in Manner and Form, as the Juſtices and Veſtry of the ſaid Pariſh of St. *Anne*, or the major Part of them, ſhall judge ſufficient for the Habitation and Dwelling of Forty Men and their Officers; and that the Inhabitants of the ſaid Pariſh of St. *Anne* ſhall from time to time keep the ſaid Barrack, from the building thereof, well manned, with the Number of Forty able and ſufficient Men, beſides Officers, Five and twenty of which Men ſhall be good and able Shot; and that the ſaid Men be from time to time provided and furniſhed with ſufficient and good Arms and Ammunition (which ſhall be conſtantly kept clean, and in good Order) and alſo with ſufficient and wholeſome Meat, Drink, Cloaths, and all other Neceſſaries requiſite and convenient for them.

A Barrack to be built thereon,

and manned with 40 Men.

V. And for the finding and providing the ſaid Forty Men, and upholding and keeping up ſuch Number from time to time, as Occaſion ſhall be or require, as well as providing, finding, and ſupplying them in Manner aforeſaid, with all Manner of needful and neceſſary Proviſion, Ammunition, and Apparel; be it enacted and ordained by the Authority aforeſaid, That the Juſtices and Veſtry of the ſaid Pariſh of St. *Anne* for the Time being, be, and they are hereby impowered, authorized, and required to do the ſame in like Manner as the other Barracks in this Iſland are to be furniſhed, upheld, ſupplied, or maintained, or by laying, levying, aſſeſſing, and collecting a Tax on the Pariſhioners of the ſaid Pariſh for thoſe Purpoſes, in ſuch Manner as the Pariſh Tax is uſually laid, aſſeſſed, levied,

The Tax how to be raiſed.

and

1737. and collected in this Iſland; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

The Men to be ſubject to the Barracking Laws.

VI. And be it further enacted by the Authority aforeſaid, That the ſaid Men to be placed in the ſaid Barrack ſo to be built in the Pariſh of St. *Anne*, as aforeſaid, ſhall be under, and ſubject to the like Orders, Diſcipline, Regulations, and Penalties, as the Men in, or to be placed in any of the other Barracks of this Iſland, by the Barracking Laws, or either of them, are under, or to be liable or ſubject to.

Their Pay.

VII. And be it further enacted by the Authority aforeſaid, That the ſaid Forty Men ſhall be commanded by a Captain, one Lieutenant, and a Serjeant, to be from time to time appointed by the Commander in Chief of this Iſland for the Time being; and ſhall be paid out of the ſaid Tax ſo to be raiſed, collected, and paid, as aforeſaid, by monthly Payments, the reſpective Sums following; *to wit*, To the Captain, Eight Pounds *per* Month; the Lieutenant, Six Pounds *per* Month; and the Serjeant, Four Pounds *per* Month, and no more.

Rate on the Pariſhes of St. *John* and St. *Dorothy*.

VIII. And whereas ſome Doubts or Diſputes may ariſe between the Pariſhes of St. *John* and St. *Dorothy*, with reſpect to paying the Officers and Surgeon belonging or to belong to the Barrack at the *Little Maneagne*; be it therefore enacted by the Authority aforeſaid, That the Sum of Ten Pounds *per* Month be paid to the Captain of the ſaid Barrack, and the like Sum to the Surgeon; and that the ſame, as well as all the other Expences in paying of Officers, and ſupporting the ſaid Barrack, ſhall be at the Charges of the ſaid Pariſhes reſpectively, in Proportion to the Number of Negroes and Cattle in each Pariſh.

St. *Anne*'s Pariſh exempted from ſupporting any other Barracks.

IX. And be it further enacted by the Authority aforeſaid, That the Inhabitants of the ſaid Pariſh of St. *Anne* do proceed and advance the building and erecting the Barrack at *Norman*'s *Valley* in the Pariſh of St. *James*, purſuant to the Directions of the Barracking Acts, for Three Months from the paſſing of this Act; and that from and after the Expiration of the ſaid Three Months, the Inhabitants of the ſaid Pariſh of St. *Anne* ſhall be, and they are hereby free and exempt from contributing to, or aſſiſting in the building, carrying on, or ſupporting, by Men, or otherwiſe, the Barrack built or to be built at or near *Norman*'s *Valley* aforeſaid, or any other Barrack in this Iſland; the Barracking Laws herein before mentioned, *to wit*, one Act, entituled, *An Act for the better ſettling and ſecuring the Iſland; and veſting ſeveral Parcels of Land in the Crown; and for building of Barracks, and fitting out of Parties, for the reducing the rebellious Negroes, and cutting of Roads*; and one other Act, entituled, *An Act for the Eaſe and Relief of the Inhabitants of this Iſland, in building Barracks, and remedying and ſupplying ſome Defects and Omiſſions in the late Barracking Law*; or any other Act or Law to the contrary notwithſtanding.

Penalty on offending againſt this Act, &c.

X. And be it further enacted by the Authority aforeſaid, That every Perſon who ſhall in any thing offend, or act contrary to the true Intent and Meaning of this Act, or in any thing neglect, or not perform his Duty, according to the true Meaning hereof, ſhall, for every ſuch Offence or Neglect, forfeit the Sum of Ten Pounds; to be recovered in any Court of Record in this Iſland, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoin, Imparlance, or Injunction ſhall be granted or allowed, or *Non vult ulterius proſequi* be entered; one Moiety of all which Penalties ſhall be to his Majeſty, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Moiety to him or them who ſhall inform, ſue, or proſecute for the ſame; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

An Act for the better preſerving the publick Records of this Iſland.

Act 115. WHEREAS many of the publick Records of this Iſland were damaged by the late violent Hurricane, and by the Length of Time are much decayed; by which the Inhabitants of this Iſland are much endangered in their Properties and Eſtates: And whereas the Secretary of this Iſland has, in purſuance of a Reſolution of the Aſſembly of the Twenty-ſixth Day of *November*, One thouſand ſeven hundred and thirty-ſix, tranſcribed ſeveral Books of the ſaid decayed

cayed Records, except ſuch Parts as were not legible, into new Books; and in like Manner tranſcribed Parts of other decayed Books of Records into ſupplemental Books; and alſo tranſcribed the two firſt Books of the Laws of this Iſland into new Books; May it pleaſe your moſt Excellent Majeſty that it may be enacted; be it therefore enacted by your Majeſty's Preſident, Council, and Aſſembly of this your Iſland of *Jamaica*, and it is hereby enacted by the Authority of the ſame, That the ſaid ſeveral Tranſcripts ſhall be deemed, and are hereby declared to be valid, legal, and effectual Records, to all Intents and Purpoſes whatſoever, as the original Records themſelves were before the making this Act. 1737.

Tranſcripts of Records to be deemed valid.

II. PROVIDED nevertheleſs, the ſaid Secretary ſhall make Affidavit, before the Chief Juſtice for the Time being, or before any Judge of the Supreme Court of Judicature of this Iſland, who are hereby impowered and required to take the ſame, That the ſaid ſeveral Tranſcripts have carefully been examined by him, and are true and exact Copies of their ſeveral Records, before the ſaid Tranſcripts, or Copies, ſhall be as valid, legal, and effectual Records, as aforeſaid; which Affidavit the ſaid Secretary is required to make, and enter in each particular Book of Tranſcripts, or Copies, within ſix Weeks from and immediately after the paſſing of this Act into a Law, under the Penalty of Five hundred Pounds.

Secretary to make Oath, that the ſaid Tranſcripts are true Copies;

III. AND whereas the Publick has been at great Expence, from Time to Time, in order to preſerve the publick Records and Deeds of this Iſland: And as it is reaſonable, that the Secretary, who receives great Profit from ſearching the ſaid Deeds and Records, by which they are worn out, ſhould keep the ſame in good Order and Repair; it is enacted by the Authority aforeſaid, That the preſent Secretary ſhall be obliged, under the Penalty of One thouſand Pounds, to keep the ſeveral Deeds, Records, and Alphabets in his Office, in good Order and Repair, at his own proper Coſts and Charge; and have alſo fairly tranſcribed Copies of ſuch Deeds and Records as ſhall be impaired by frequent Uſe, or decayed by Time: And that every future Secretary ſhall be obliged, under the Penalty of Five thouſand Pounds, before his Entrance upon the Office, to give Bond, with good and ſufficient Security to our Sovereign Lord the King, his Heirs and Succeſſors, That he will, from Time to Time, at his own Coſt and Charge, keep in good Order the Deeds, Records, and Alphabets of his Office; and have Copies fairly tranſcribed of ſuch Deeds, Records, and Alphabets, as ſhall any ways require ſuch tranſcribing.

to keep the Records, &c. in good Repair;

IV. IT is hereby further enacted, That every Deed and Record ſo tranſcribed, ſhall be carefully examined by the Secretary for the Time being; and he is hereby obliged, under the Penalty of Five hundred Pounds, to repair to the Chief Juſtice for the Time being, and make Oath, that he has had the ſame faithfully tranſcribed, and that he has carefully examined it himſelf; which Oath the Chief Juſtice is hereby impowered and required to adminiſter; any Law, Cuſtom, or Uſage to the contrary notwithſtanding: And every Deed and Record ſo tranſcribed, examined, and ſworn to, ſhall be deemed authentick, valid, and effectual.

to make Oath, that he hath examined them himſelf;

V. AND be it further enacted by the Authority aforeſaid, That the preſent Secretary cauſe a Liſt, or Inventory of all the Books of Record in his Office to be made in ſix Months after the paſſing of this Act: And that for the future, all Secretaries, or Perſons acting as ſuch, upon delivering Poſſeſſion, or leaving the ſaid Office, be obliged to deliver ſuch Inventories to all new Secretaries; which ſaid Inventories ſhall be ſigned by the ſaid new Secretaries, and the Perſons delivering Poſſeſſion of the ſaid Office, as aforeſaid; and that the ſaid Inventories ſhall be entered in a fair written Book, to be kept for that Purpoſe in the ſaid Secretary's Office, and a Copy of the ſame ſent, ſigned as aforeſaid, to the Clerk of the Supreme Court's Office; which ſaid Inventories, or Copies, ſhall be good Evidence againſt the ſaid Secretaries, or any of them, in caſe of any Embezilment of the ſaid Books of Record: And the preſent Secretary, and all other Secretaries for the future, who ſhall neglect or refuſe to take or ſign ſuch Inventories, or cauſe ſuch Copies to be made and ſigned, as aforeſaid, ſhall for every ſuch Neglect or Refuſal forfeit the Sum of One thouſand Pounds.

and to keep a Liſt of the Records in his Office,

or forfeit 1000*l.*

VI. AND be it further enacted by the Authority aforeſaid, That all Penalties in this Act mentioned, ſhall be recovered in the Supreme Court of Judicature of this

Penalties how to be recovered and applied.

1737. Iſland, by Action of Debt, Bill, Plaint, or Information; wherein no Eſſoin, Protection, Wager of Law, or Injunction ſhall be granted or allowed, or *Non vult ulterius proſequi* be entered; and one Moiety thereof ſhall be to the Uſe of his Majeſty, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Moiety to the Informer, or him or them who ſhall ſue for the ſame; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

An Act for effectually ſettling the Pariſh of Portland, *by veſting all the unſettled Lands in the ſaid Pariſh in the Crown.*

Act 116. WHEREAS ſeveral Acts of the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica* have been made, for ſettling the North-eaſt Part thereof; and ſeveral Proviſoes, or Clauſes of Indulgence, have been inſerted therein, allowing to the Proprietors of unſettled Lands, within the ſaid Pariſh, certain Terms, or Spaces of Time, to ſettle the ſame, in Hopes ſuch Indulgences would have encouraged them thereto; but as ſuch Proprietors have made no other Uſe of the ſaid Indulgences, than to keep up their Claims, and thereby prevent the ſaid Lands being ſettled: To the Intent therefore that no Part of the ſaid Pariſh may remain unſettled, and that all ſuch Perſons who have ſettled on any of the unſettled Lands, by virtue of ſubſequent Patents, may have a good and firm Title to ſuch Lands on which they are ſo ſettled, may it pleaſe your Majeſty that it may be enacted; be it therefore enacted by your Majeſty's Preſident, Council and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted by the Authority of the ſame, That all and every the ſaid Proviſoes, or Clauſes of Indulgence, in whatſoever Law or Act contained, ſhall be, and are hereby declared to be terminated, and become void, and ſhall be conſtrued, deemed, and taken ſo to be; and that all the unſettled Lands in the ſaid Pariſh, which any Perſon or Perſons may now, or ſhall hereafter claim by virtue thereof, or of any former Grant, ſhall be, and hereby are abſolutely veſted in your Majeſty, your Heirs and Succeſſors, to and for the Uſes, Intents, and Purpoſes hereafter mentioned; that is to ſay, That the Preſident, Governor, or Commander in Chief for the Time being, ſhall be, and he is hereby impowered and obliged to grant the ſaid unſettled Lands, under the Broad Seal of this Iſland, to ſuch Perſons as ſhall apply for the ſame, and to their Heirs, in ſuch Quantities, Shares, and Proportions, and on and under ſuch Conditions, Limitations, and Reſtrictions, as is mentioned, ſet forth, and contained in an Act, entituled, *An explanatory Act, for the further encouraging the ſettling of the Pariſh of* Portland.

Indulgences granted by any former Acts declared void.

Perſons who have obtained ſubſequent Grants, have their Titles confirmed.

II. And be it further enacted by the Authority aforeſaid, That all Perſons who have obtained ſubſequent Grants for the ſaid unſettled Lands, either within the Tract of Thirty thouſand Acres already veſted in your Majeſty, or in any other Part of the ſaid Pariſh, and have begun and carried on a Settlement or Settlements thereon, ſhall be, and they hereby have confirmed to them and their Heirs, a good, firm, and lawful Title to the ſame, againſt all and every other, and former Grant, Claim, and Demand whatſoever.

Proviſo.

III. Provided always, That ſuch new Grantees do continue to carry on a Settlement or Settlements on ſuch their Lands, in ſuch Manner and Form as is by the ſaid Explanatory Act directed and appointed.

An Account to be delivered to the Commiſſioners, of the Number of Acres each Perſon poſſeſſes.

IV. And to prevent Perſons from taking up and patenting more Land than they are able or willing to ſettle; and that it may be perfectly known what Number of Acres each Perſon hath in the ſaid Pariſh, with the Date of their Patents, and Number of their white Men and Slaves; be it enacted by the Authority aforeſaid, That the Commiſſioners, or any Three of them, ſhall meet at a certain Place, to be by them or any Three of them appointed, once in every Year, to receive from the ſeveral Freeholders, or Patentees of Land within the ſaid Pariſh, an Account of the Number of Acres each Perſon hath, with the Date of their Patents, and the Number of their white Men and Slaves.

V. And that the ſaid ſeveral Freeholders, or Patentees, may have timely Notice of ſuch Meetings, be it enacted by the Authority aforeſaid, That the Commiſſioners,

ers, or any Two of them, ſhall be, and are hereby obliged, Ten Days before every Yearly Meeting, to iſſue out their Warrant, under their Hands and Seals, directed to the Conſtable or Conſtables of the ſaid Pariſh, thereby commanding him or them, three Days before the ſaid Yearly Meeting, to ſummon all and every the ſaid ſeveral Freeholders or Patentees, their Overſeers, Managers, or Book-keepers, as well as the Commiſſioners, or as many of them as are reſident in the ſaid Pariſh, to meet once in every Year, as aforeſaid, according to the Directions and Appointment of the ſaid Warrant in that Behalf to be iſſued, to render and give a juſt Account in their ſeveral Capacities, and take the following Oath: 1737.

Commiſſioners to iſſue Warrants to ſummon Freeholders.

Their Oath.

I A. B. *do ſwear, That I, or my Employer, hath or had, on the Day reſiding upon, or belonging unto my, his, or her Eſtate, in this Pariſh white Servant-men, and Slaves, the white Men indented, or really and* bona fide *hired for the Space of Three Months: And that neither I, nor my Employer, hath fraudulently, or with an Intent to evade the true Intent and Meaning of this Act, and the ſaid Explanatory Act, brought to, or put on my, or his, or her ſaid Eſtate, either white Men or Slaves.* So help me God.

Which Oath the ſaid Commiſſioners are hereby impowered to adminiſter.

VI. BUT whereas it is poſſible that ſeveral Perſons may hereafter reſide and have their Plantations in the remote Parts of the ſaid Pariſh, and at a great Diſtance from the Place where the Commiſſioners may hold their ſaid Yearly Meetings, or that the Roads may be extremely bad, or the Rivers deep, and dangerous to croſs, and therefore cannot conveniently be preſent at the ſaid Meetings, to give in their ſaid Accounts by themſelves or their Servants: For the Eaſe of ſuch Perſons, and that People may not be drawn from their Habitations, be it enacted by the Authority aforeſaid, That ſuch Account and Accounts of Land, white Men, and Slaves, as are hereby directed and appointed to be given in upon Oath before the Commiſſioners at their ſaid Yearly Meetings, ſhall and may for ſuch Inhabitants be given in within the Time limited by this Act, upon Oath made before any one Commiſſioner, and ſubſcribed by the Perſon depoſing, and annexed to the ſaid Account; any thing herein contained to the contrary in any wiſe notwithſtanding: Which Account ſo proved, ſhall be remitted to the Commiſſioners within the Time limited, as aforeſaid.

Clauſe in Favour of Perſons living at a great Diſtance.

VII. AND be it further enacted by the Authority aforeſaid, That the Commiſſioners ſhall cauſe all the Accounts by them taken at their ſaid Yearly Meetings, together with ſuch as ſhall be given in and ſworn to before any ſingle Commiſſioner, and remitted to them, to be recorded in a good and well bound Book, which the Church-warden or Church-wardens of the ſaid Pariſh are hereby required and obliged for that Purpoſe to provide.

Accounts to be recorded.

VIII. AND be it further enacted by the Authority aforeſaid, That if any of the ſaid Freeholders, or Patentees, ſhall refuſe or neglect to give in their ſaid Accounts, either before the Commiſſioners at their ſaid Yearly Meetings, or before ſome one Commiſſioner within the Time limited by this Law, or ſhall appear to be deficient in the Number of their white Men or Slaves; he, ſhe, or they ſo offending, ſhall, for every ſuch Refuſal, Neglect or Deficiency, forfeit the Sum of Fifty Pounds; to be recovered in a ſummary Way, by Warrant under the Hands and Seals of any Three Commiſſioners; and ſuch Commiſſioners are hereby impowered and required to iſſue Warrants of Diſtreſs for the Recovery of ſuch Sum and Sums of Money; and for Want of Goods and Chattels, to commit ſuch Offenders to Gaol till Payment thereof, unleſs it ſhall appear, that ſuch Default did not happen through the Direction of the Maſter, but by the Neglect and Default of the Overſeer or Perſon intruſted, and in ſuch Caſe the Overſeer or Perſon intruſted ſhall be liable to ſuch Forfeiture.

Penalty on Patentees refuſing to deliver their Account.

IX. PROVIDED always, That no Warrant ſhall be granted for levying and collecting the ſaid Forfeiture, unleſs it ſhall appear by Oath of the Conſtable, that the Party ſo offending had Three Days Notice of ſuch Yearly Meeting.

Proviſo.

X. AND that all Perſons, who may deſire to become Settlers in the ſaid Pariſh, may readily know what Lands are patented and ſettled, as the ſaid Explanatory Act directs; be it enacted by the Authority aforeſaid, That all Patentees of Land within

A Docket of Patents to be recorded.

1737. within the ſaid Pariſh, ſhall, within Six Months next after the paſſing of this Act, or Date of their Patents, bring their ſaid Patents to the Commiſſioners, or any Three of them, who ſhall order a Docket thereof to be recorded in the ſaid Book of Records, for which they ſhall pay to the Commiſſioners Clerk Two Shillings and Six Pence, and no more; and all Perſons ſhall be at Liberty to ſearch the ſaid Book of Records.

XI. And whereas it is by the ſaid Explanatory Act enacted, That the Governor, or Commander in Chief for the Time being, ſhould grant to every Perſon willing to become a Settler within the Tract of Land of Thirty thouſand Acres, mentioned in two former Acts, a Quantity of Land not exceeding Five hundred Acres, in Proportion to the Number of Negroes and white Men they are willing and ready to put thereon, and perfect the Settlement thereof; and alſo a Lot of Land in the Town of *Titchfield*, to them, their Heirs and Aſſigns for ever; with a Condition, or Proviſo, in the ſaid Grant, that every Perſon ſo patenting any Parcel of Land, ſhould be obliged to build and erect a Houſe on ſuch his Lot in the ſaid Town within Six Months from the Date of ſuch his Patent, and to maintain and repair the ſame, and to keep one white Perſon actually reſiding thereon at the leaſt, for and during the Term of Four Years from and after the Expiration of the ſaid ſix Months; and alſo to begin and carry on a Settlement on his ſaid Land, in Proportion to the Number of Acres in it; *viz.* Two Negroes for every hundred Acres in his ſaid Grant; and if it contains Five hundred Acres, then with one white Man, and ten Negroes at the leaſt, within the firſt twelve Months after the Date of ſuch his Patent; and alſo one other white Man and ten Negroes more at the leaſt on the ſaid Land, yearly and every Year after, till ſuch Time as he hath put and ſettled thereon one white Man and ten Negroes for every hundred Acres contained in his Grant: and ſo in Proportion for a greater or leſſer Number of Acres, under the Penalty of forfeiting all the Lands ſo to him or them granted, and all his or their Right or Title thereto, to his Majeſty, his Heirs and Succeſſors; and from thence all ſuch Grants and Patents to ceaſe, and utterly to become void to all Intents and Purpoſes, and be veſted in his Majeſty, his Heirs and Succeſſors, and by him to be regranted, according to the Terms, Limitations, and Reſtrictions in the ſaid Explanatory Act mentioned, to ſuch other Perſons as ſhould deſire the ſame; any thing in the ſaid Act to the contrary notwithſtanding.

XII. And whereas by an Act, entituled, *An Act for ſettling the North-eaſt Part of the Iſland*, it is enacted, That all other Lands within the Tract in the ſaid Act mentioned, other than the Thirty thouſand Acres, as aforeſaid, which were then, or ſhould thereafter be veſted in his Majeſty, his Heirs and Succeſſors, ſhould be granted in the Name of his Majeſty, his Heirs and Succeſſors, in the ſame Manner and Proportion, and under ſuch Proviſoes, Conditions, and Reſtrictions, as the therein before mentioned Thirty thouſand Acres were to be granted, and not otherwiſe; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding: Be it therefore enacted by the Authority aforeſaid, That all Perſons who ſhall deſire any Lot or Parcel of Land, which now is, or hereafter ſhall become forfeited, and re-veſted in his Majeſty, his Heirs and Succeſſors, by virtue of this or the ſaid Explanatory Act, either within the ſaid Tract of Thirty thouſand Acres, or in any other Part of the ſaid Pariſh, and ſhall lay an Order thereon, and apply to the Commiſſioners or any Three of them for an Aſſignment thereof; the Commiſſioners to whom ſuch Application ſhall be made, ſhall be and are hereby obliged to aſſign the ſame, ſetting forth in the ſaid Aſſignment, by whom the ſaid Lands were before patented, and for what the ſame became forfeited; which Aſſignment the ſaid Commiſſioners ſhall return in two Parts, under their Hands and Seals, the one of which ſhall be filed with the Clerk of the Patents, and the other ſhall be annexed to the Patent, and recorded with the ſame in the Secretary's Office of this Iſland within the Time limited for recording of Deeds and Patents: And all Patentees of Land within the ſaid Pariſh, who ſhall obtain Grants, and record the ſame in Manner aforeſaid, ſhall be, and hereby have a good, firm, and undeniable Title to the Lands ſo granted, againſt all other and former Patentees, as fully in every Reſpect as if the Lands ſo granted had been found forfeited and veſted in his Majeſty by a Jury, or Proclamation

Commiſſioners to aſſign forfeited Lands to any Perſons applying for the ſame.

clamation had been made thereof in his Majeſty's Supreme Court of Judicature, or any other ways whatſoever. Provided always that ſuch new Grantee do ſettle the Lands ſo to him granted, according to the Conditions, Limitations, and Reſtrictions in this and the ſaid Explanatory Act mentioned. Provided alſo, That all Perſons who have Lots of Land in the Town of *Titchfield*, ſhall have Six Months from the paſſing of this Act to build thereon and to comply with the Terms of the ſaid Explanatory Act, in caſe no new Grants have been made of ſuch Lots and Buildings erected by ſuch new Patentees; any thing herein contained to the contrary thereof in any wiſe notwithſtanding. 1737.

XIII. AND whereas, for want of a Book of Records being hitherto kept in the ſaid Pariſh, it cannot be certainly known or proved whether any, and who in particular of the preſent Inhabitants of the ſaid Pariſh have been deficient, in duly complying with the Conditions of the ſaid Explanatory Act; be it therefore enacted by the Authority aforeſaid, That all ſuch Perſons who have patented any Lands in the ſaid Pariſh, and ſettled the ſame, and have continued to carry on a Settlement or Settlements thereon for the Space of Five Years, ſhall be, and they hereby are deemed and allowed to have a good, firm, and lawful Title to their Lands ſo granted and ſettled; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding. Perſons who have poſſeſſed Lands 5 Years to have a good Title thereto.

XIV. AND whereas it hath been cuſtomary for Commiſſioners, ſingly and at different Times and Places, to aſſign Lands to new Settlers; which may occaſion Diſputes to ariſe, on account of Priority: For Prevention of which Inconveniency, be it enacted by the Authority aforeſaid, That from and after the paſſing of this Act, all Aſſignments of Lands, which ſhall not be duly executed by a *Quorum* of the Commiſſioners met together at ſome certain Place in the ſaid Pariſh, ſhall be null and void. Proviſo.

XV. AND that there may be at all Times a ſufficient Number of Commiſſioners reſiding in the ſaid Pariſh to make a *Quorum*, be it enacted by the Authority aforeſaid, That *Samuel Brown* and *John Smith*, Eſquires, and *Francis Sparke* and *John Peeke Sutton*, Gent. be added to the Number of thoſe mentioned in other and former Acts. Additional Commiſſioners.

XVI. AND in order to keep up the Number of Commiſſioners for the future, it ſhall and may be lawful for the Preſident, Governor, or Commander in Chief for the Time being, to nominate and appoint ſuch Perſon or Perſons to be Commiſſioners as to him ſhall ſeem meet, upon the Death, Removal, or other Incapacity of any of the ſaid Perſons already appointed by this or any other Act. Preſident to nominate new Commiſſioners, on the Death, &c. of any already appointed;

XVII. AND be it further enacted by the Authority aforeſaid, That all Perſons nominated, deputed, and appointed by the Preſident, Governor, or Commander in Chief, ſhall, within Three Months next after the Date of his Deputation, record the ſame in the ſaid Book of Records, and take the Oath appointed to be taken by the Commiſſioners, in an Act, entituled, *An Act to encourage white People to come over and become Settlers in this Iſland*; *and for the more eaſy and ſpeedy ſettling the North-eaſt Part thereof*; which Oath the reſt of the Commiſſioners, or any Three of them, are hereby impowered to adminiſter; and ſuch Perſon or Perſons ſo nominated, deputed, and appointed, and the ſaid Deputation recorded, ſhall and may, from and immediately after the taking the ſaid Oath, in all Things act as a Commiſſioner, in as full and ample a Manner, and be ſubject to the ſame Penalties, as if they had been named and appointed in this or any other Act. who are to take the Oath appointed to be taken by Commiſſioners.

XVIII. AND whereas by the Act, entituled, *An Act for ſettling the North-eaſt Part of this Iſland*, it is enacted, That all Lands within the Tract deſcribed in the Plat unto the ſaid Act annexed, were veſted or ſhould be veſted in his Majeſty: And whereas by the ſaid other Act, entituled, *An Act for encouraging white People to come over and become Settlers in this Iſland*; *and for the more eaſy and ſpeedy ſettling the North-eaſt Part thereof*, it is enacted, That the ſaid Lands, deſcribing them to be bounded North and North-eaſt by the Sea, from the Mouth of *White River* to the Weſtward of the Mouth of the River *Grandee*, thence directly South the Diſtance of fourteen Miles, then Eaſt till it meets with *Swift River*, thence South-eaſt forty nine Degrees to the Head of *Sulphur River*, and Deſcription of *Portland* Pariſh.

1737. from thence in a ſtraight Line to *White River*, and alſo the Iſland called *Lynch's Iſland*, ſhould be, and for ever thereafter be taken and eſteemed, to all Intents and Purpoſes, an intire and diſtinct Pariſh, ſeparate from the Pariſhes of St. *George* and St. *Thomas in the Eaſt*, and be called and known by the Name of the Pariſh of *Portland*.

Proviſo. XIX. Provided always, That no Clauſe or Clauſes in the ſaid laſt mentioned, or any former Act, ſhould extend to take into the ſaid Pariſh any Lands in the Pariſh of St. *George* that were then ſettled; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

What Lands ſhall be deemed to belong to the Pariſh of *Portland*. XX. And whereas there were at the Time of paſſing the ſaid laſt mentioned Act, ſome few Settlements within the ſaid Boundaries, which have been ſince thrown up and deſerted, and which may hereafter occaſion Diſputes to ariſe between the ſaid Two Pariſhes of *Portland* and St. *George*: For Prevention whereof, be it enacted by the Authority aforeſaid, That all the Lands within the Boundaries deſcribed by the ſaid two laſt mentioned Acts, ſhall for ever hereafter be deemed, taken, and allowed to be in and belonging unto the ſaid Pariſh of *Portland*; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Proviſo. XXI. Provided always, and it is hereby enacted, That this Act, nor any thing herein contained, ſhall be of any Force to diminiſh, add to, or alter the Conditions, Limitations, and Reſtrictions of two ſeveral Parcels of Land at *Long Bay* and *Mancheonele*, veſted in his Majeſty, his Heirs and Succeſſors, by virtue of two ſeveral Acts, the one entituled, *An Act for the better ſettling and ſecuring the Iſland, aud veſting ſeveral Parcels of Land in the Crown, and for building of Barracks, and fitting out of Parties for the Reduction of the rebellious Negroes, and for cutting of Roads*; the other entituled, *An Act for the Eaſe and Relief of the Inhabitants of this Iſland in building Barracks, and remedying and ſupplying ſome Defects and Omiſſions in the late Barracking Law*; but that the Land ſo veſted, ſhall be and remain in his Majeſty, his Heirs and Succeſſors, and in the Perſons to whom they are or ſhall be granted, on the Conditions, Limitations, and Reſtrictions, and to the Uſes, Intents, and Purpoſes mentioned in the ſaid two Barracking Acts, as fully in every Reſpect, as if this Act had not been made; any thing herein contained to the contrary in any wiſe notwithſtanding.

1738. *An Act for the perpetuating ſuch Parts of the late Barracking Laws as veſted ſeveral Parcels of Land in the Crown, and confirming the Titles of ſuch Perſons as have had Grants of any ſuch Lands purſuant to the ſaid Laws; and for directing Surveys to be made of ſeveral Parcels of the ſaid Lands.*

Act 117. WHEREAS by an Act, entituled, *An Act for the better ſettling and ſecuring the Iſland, and veſting ſeveral Parcels of Land in the Crown, and for building of Barracks, and fitting out of Parties for the reducing the rebellious Negroes, and cutting of Roads*, it is, amongſt other things, enacted, That Two thouſand Acres of Land ſhall be, and are thereby veſted in his Majeſty, his Heirs and Succeſſors, to lye near and contiguous as poſſible to the Barrack to be built at *Bagnal's Thickets*; and that the like Quantity of Land ſhall be alſo veſted in his Majeſty, his Heirs and Succeſſors, to lye near and contiguous as poſſible to the Barrack to be built at *Norman's Valley*, for the Uſes and Purpoſes in the ſaid Act thereafter mentioned: And whereas by the ſaid recited Law, Nine other Barracks were directed to be built, beſides the three Barracks at *Long Bay*, *Bagnal's Thickets*, and *Norman's Valley*: And whereas by an Act, entituled, *An Act for the Eaſe and Relief of the Inhabitants of this Iſland, in building Barracks, and remedying and ſupplying ſome Defects and Omiſſions in the late Barracking Law*, a Quantity of Land, not exceeding Two thouſand Acres, has been veſted in his Majeſty, his Heirs and Succeſſors, to lye near or contiguous to each Barrack to be

be built in purſuance of the ſaid laſt recited Law, except near the Barracks at *Ugly River* and *Flint River*, where only Two hundred Acres were to be veſted for the Uſe of the ſaid Barracks: And as the Land formerly veſted in his Majeſty near *Bagnal's Thickets*, had been all granted before the paſſing of the laſt mentioned Law; it is thereby enacted, that of the Land adjacent to the ſaid Barrack at *Bagnal's Thickets*, Two thouſand Acres more ſhould be veſted in his Majeſty, his Heirs and Succeſſors; all which Parcels of Land ſo veſted in his Majeſty were mentioned or intended to be for the Uſe of ſuch Perſons as ſhould be deſirous to become Settlers under the Protection of the ſaid ſeveral Barracks: And whereas both the ſaid recited Acts are now near expiring, and that ſeveral Perſons who have taken Grants, and been at conſiderable Expence and Labour in making Settlements in purſuance of thoſe Laws, may think themſelves inſecure in their Titles derived under ſuch temporary Laws, and others may be likewiſe diſcouraged from applying for Grants under ſuch Laws; we, his Majeſty's moſt dutiful and loyal Subjects, the Governor, Council, and Aſſembly of this his Majeſty's Iſland of *Jamaica*, do humbly beſeech your Majeſty that it may be enacted; be it therefore enacted by the Governor, Council, and Aſſembly of the ſaid Iſland, and it is hereby enacted by the Authority of the ſame, That the Titles of all ſuch Perſons who have already had Grants, and proceeded in making Settlements on any of the ſaid Lands, and ſhall continue ſo to do, in purſuance and conformable to the Directions of the ſaid recited Laws be, and they are hereby confirmed to them reſpectively, and their Heirs and Aſſigns for ever; and that all ſuch Parts and Parcels of the ſaid Lands as have not been already, ſhall be, and they are hereby veſted in his Majeſty, his Heirs and Succeſſors, to and for the Uſe of ſuch Perſons as may from Time to Time be deſirous to become Settlers in any of the ſaid Parcels of Land. 1738. Settlers Titles confirmed.

II. PROVIDED always, That no new Comer or other Perſon ſhall be intitled to take up or have a Grant by virtue of this Law, before he ſhall make appear upon Oath before the Governor or Commander in Chief of this Iſland for the Time being, what Number of working Slaves he hath in Readineſs to put on with an Intent to ſettle; and that ſuch new Comer, or other Perſon ſhall, or may take up for himſelf Fifty Acres, and Ten for every Servant or Slave he hath in Readineſs to employ on ſuch intended Settlement. Proviſo. 50 Acres allowed each Settler, beſides 10 for every Servant or Slave.

III. PROVIDED the Whole exceed not Three hundred Acres, and that no Perſon ſhall be intitled to have any Land by virtue of this Act, before he ſhall enter into Bond to his Majeſty, in the Sum of One hundred Pounds, that he will begin his Settlement in Six Months Time, from and after the Date of his Patent, and continue there and carry on the ſaid Settlement for Seven Years, and ſhall make no Alienation of the ſaid Land in that Time, without a Licence firſt had and obtained from the Governor or Commander in Chief of this Iſland for the Time being, who is hereby impowered and required to refuſe ſuch Licence until ſuch Time as the Perſon to whom the ſaid Land is intended to be ſold or diſpoſed of ſhall comply with the Terms required by this Act of the firſt Grantee or Patentee; and that no Perſon who ſhall for the future apply for any Patent by virtue of this Act, ſhall have Fifty Acres allowed him for himſelf, unleſs he oblige himſelf to reſide on his ſaid intended Settlement. Proviſo.

IV. AND be it further enacted by the Authority aforeſaid, That Ten Acres of the ſaid Lands ſhall be reſerved cloſe adjacent to each Barrack, to be reduced into Lotts, each Lott to contain One hundred Feet in Length, and Sixty in Breadth; and that a Lott be granted to each Perſon, who ſhall undertake to become a Settler; and that each Settler ſhall be obliged to build a Houſe on ſuch Lott for the better Security of himſelf and the other Settlers; and that One hundred Acres ſhall be allowed to each Barrack in caſe the Soldiers garriſoned in ſuch Barrack ſhould be inclined to plant Proviſions or raiſe Stock; and that the ſame ſhall be granted and diſtributed from Time to Time among the Soldiers and Men, in ſuch Manner and Shares as the Governor or Commander in Chief for the Time being ſhall judge proper. 10 Acres reſerved cloſe to each Barrack.

V. AND whereas Surveys have not as yet been made of ſome of the ſaid Parcels of Land, and Returns have not been made thereof, purſuant to the Direction, and

1738. and within the Time limited by the Barracking Laws; be it therefore enacted by the Authority aforeſaid, That his Excellency the Governor, or the Commander in Chief for the Time being be, and is hereby impowered to order Surveys to be made of all ſuch Parcels of Land adjacent or contiguous to ſuch Barracks, where Surveys and Returns have not as yet been made, in ſuch Form and Manner as is directed by the ſaid Acts; and that the ſeveral Surveyor or Surveyors of this Iſland are hereby obliged and required to make ſuch Surveys and Returns thereof, within ſix Months after the paſſing this Act, under the ſame Penalties as by the ſaid Acts are directed and appointed; and that the ſaid Lands be, and are hereby inveſted in his Majeſty, his Heirs and Succeſſors, for the Uſes and Purpoſes of the ſaid Acts; and that the Grantees of all ſuch Lands ſhall have and receive all Benefit and Advantage from this Act, in as full and ample a Manner as if the ſame had been run out and granted within the Time limited therein.

Governor to order Surveys to be made.

An Act for erecting, eſtabliſhing, and regulating a Free-ſchool in the Pariſh of Weſtmoreland *in the ſaid Iſland, and enforcing the Laſt Will and Teſtament of* Thomas Manning, *deceaſed.*

Act 118. WHEREAS the ſaid *Thomas Manning*, being in his Life-time ſeiſed and poſſeſſed of a conſiderable real and perſonal Eſtate, in the Pariſh of *Weſtmoreland* aforeſaid, by his laſt Will and Teſtament in writing, bearing Date the Twenty eighth Day of *October*, One thouſand ſeven hundred and ten, did give and bequeath to *Rowland Williams*, Gentleman, Captain *George Goodwin*, Dr. *Hugh Kerpatrick*, and Mr. *William Dorrill*, and their Heirs; thirteen Negroes, and one *Indian*, therein particularly named, with their Increaſe, and all his Run of Land in *Burnt Savanna*, in the ſaid Pariſh of *Weſtmoreland*; excepting Forty Acres, Part thereof in the ſaid Will otherwiſe diſpoſed of; with all Cattle, being about the Number of One hundred Head, with Two riding Horſes, Two Mares and Two Colts, all which he declared ſhould be appropriated to the Uſe and Encouragement of a Tutor or Tutors, for keeping of a Free-ſchool in the ſaid Pariſh of *Weſtmoreland*, to inſtruct and educate Youth; and declared it his Will, that if his Truſtees believed the Yearly Profits of his ſaid Slaves Labour, and the Produce of his Land and Pen of Cattle were more than ſufficient for a reaſonable Maintenance of ſuch Perſon or Perſons as ſhould teach or inſtruct the Children, then the Teſtator declared it his Will, his ſaid Truſtees ſhould allow for the Encouragement of a Free-ſchool, what Part of the ſame they ſhould think ſufficient, and the Reſidue to be diſtributed amongſt ſuch poor People of the ſaid Pariſh of *Weſtmoreland*, as his Truſtees ſhould think moſt wanted Relief, declaring it his Will, his Wife ſhould have the Profits thereof during her natural Life, under the Reſtrictions therein mentioned, as by the ſaid Will duly proved and inrolled in the Office of Inrollments of this Iſland, Recourſe being thereunto had, may more fully appear: And whereas the ſaid Teſtator, within a Year after the making his ſaid Will, departed this Life, without altering or revoking the ſame, his Wife ſurviving him, and ſome Time afterwards died: And whereas the ſaid Truſtees entered on, poſſeſſed the ſaid Premiſſes, and leaſed out the ſame and applied ſo much of the Rents thereof, as they thought neceſſary, to a Tutor for inſtructing poor Children, according to the Direction of the ſaid Will; but the annual Rents of the Premiſſes being more than would pay ſuch Tutor, for teaching ſuch poor Children as would come to receive ſuch Benefit, and not ſufficient to pay ſuch Tutor, and for the Maintenance of thoſe who could not come to receive ſuch Benefit, the Truſtees placed out the Overplus to Intereſt, with Intention when the ſame became ſufficient to apply it in building a School, as well for the boarding and maintaining as the ſchooling ſuch poor Children, which they thought would beſt anſwer the Teſtator's Intentions, by rendering his Charity of Uſe, as well to thoſe in diſtant Parts of the Pariſh, as to thoſe near the Center: And whereas the principal Money ſo placed out as aforeſaid, with the Intereſt thereof, now amounts to upwards of Eight hundred Pounds; and ſeveral well-diſpoſed Perſons, for the Advancement of ſo good and charitable an Undertaking

taking, have ſubſcribed large Sums of Money, and others may be excited by their good Example, whereby ſuch School may become a beneficial Seminary for the Youth of the ſaid Pariſh, were it put under proper Regulations. We therefore your Majeſty's moſt dutiful and loyal Subjects, the Aſſembly of this your Iſland of *Jamaica*, humbly beſeeech your Majeſty that it may be enacted; Be it therefore enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland, and it is hereby enacted by the Authority of the ſame, That the *Cuſtos Rotulorum* of the ſaid Pariſh of *Weſtmoreland* for the Time being, the two ſenior Magiſtrates of the ſaid Pariſh for the Time being, the Rector of the Pariſh of *Weſtmoreland* for the Time being, and Five of the Freeholders of the ſaid Pariſh, ſuch as the Freeholders ſhall annually elect, together with the ſaid *George Goodwin* and *Hugh Kirkpatrick*, and *William Dorrill*, (the Son and Heir of the ſaid *William Dorrill*, deceaſed;) the ſurviving Truſtees of the ſaid *Thomas Manning* be, and are hereby appointed Truſtees for the Direction and Management of the ſaid Free-School, and of the ſaid Gift, Deviſe, and Bequeſt, by the ſaid *Thomas Manning*, ſo made and given as aforeſaid, and of all Subſcriptions, Donations, Deviſes, and Bequeſts, that ſhall hereafter be given to, or for the Uſe of the ſaid Free-School; Five of which Truſtees ſhall be a *Quorum* to do Buſineſs. 1738.

Truſtees appointed.

II. Provided always, That the *Cuſtos* and two of the ſenior Magiſtrates for the Time being, and one of them, the ſaid *George Goodwin*, *Hugh Kirkpatrick*, and *William Dorrill*, the Son, or any Two of them, ſhall be of that Number.

Proviſo.

III. And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees, and they who ſhall ſucceed them, ſhall be Truſtees of the ſaid Free-School, and of all Meſſuages, Tenements, and Hereditaments, which are, and ſhall, or may be given by any Perſon or Perſons, or purchaſed by the ſaid Truſtees, or their Succeſſors, for the Uſe or Benefit of the ſaid Free-School, Teachers, or Scholars, at any Time or Times hereafter; and that the ſaid Truſtees and Free-School ſhall for ever ſtand, and be incorporated in Name, and indeed a Body politick, incorporate by the Name of the Truſtees of *Manning*'s Free-School and by that Name they, and their Succeſſors, ſhall, and may for ever hereafter, have, hold, and enjoy the ſaid Free-School, and the ſaid Gifts, Deviſes, and Bequeſts by the ſaid *Thomas Manning* ſo given, or deviſed as aforeſaid, and all Meſſuages, Lands, Tenements, and Hereditaments whatſoever, and all Gifts, Donations, Benefactions, and Deviſes, which at any Time or Times hereafter ſhall be given to, or purchaſed for the Uſe and Benefit of the ſaid Free-School.

And incorporated.

IV. And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees and their Succeſſors, or the major Part of them, by the ſame, ſhall and may have Power and Ability to place out at Intereſt, on good and ſufficient Security, the ſaid Donation, and any other Donations, Benefactions, and Subſcriptions in Money; and to demiſe, ſet, and leaſe the ſame, or other ſuch Poſſeſſions and Hereditaments as ſhall or may be given or purchaſed as aforeſaid; and to take, acquire, and purchaſe, to ſue and be ſued, and to perform and execute all and every lawful Act and Thing, good, neceſſary, and profitable for the ſaid Corporation, in as full and ample Manner and Form, to all Intents, Conſtructions, and Purpoſes, as any other Corporation or Body Politick and Corporate, fully and perfectly incorporated, may, or ought to do; and that they the ſaid Truſtees, and their Succeſſors, may have, and uſe a common Seal for the making, granting, and demiſing of their Demiſes or Leaſes, and for the doing of all and every other Things, concerning the ſaid Corporation, in which Seal ſhall be engraven *Charity*, with a ſucking Child at her Breaſt, and another in her Arms; and that the ſaid Seal ſhall be depoſited and kept in the Hands of the *Cuſtos Rotulorum* of the ſaid Pariſh of *Weſtmoreland* for the Time being.

Truſtees may let Donations at Intereſt.

V. And be it further enacted by the Authority aforeſaid, That the ſaid *George Goodwin* and *Hugh Kirkpatrick*, the ſurviving Truſtees of the ſaid *Thomas Manning*, and the Executors of ſuch of the ſaid Truſtees as are now dead, ſhall be, and are hereby required, within Six Months after the paſſing of this Act, to render an Account of the Profits and Produce of the ſaid *Thomas Manning*'s Eſtate, ſo given to the ſaid Truſtees for the Uſes aforeſaid, together with the Intereſt ariſen and to ariſe on the ſame, to the other Truſtees of the ſaid Free-School,

Required to render an Account.

1738. or the major Part of them, and to pay over the Ballance that ſhall appear to be due, or aſſign over ſuch Securities as they have taken for the ſame, or any Part thereof; and upon their ſtating and adjuſting the ſaid Accounts, and paying the Ballance, or aſſigning the Securities in their Hands in the Manner aforeſaid, the ſaid Truſtees, or the major Part of them, ſhall be, and are hereby impowered to execute a Releaſe and Acquittance to the Truſtees, now living, of the ſaid *Thomas Manning*, and to the Executors of ſuch of them as are dead; which Releaſe or Acquittance ſhall be a full Diſcharge and Indemnification to them and every of them.

To build a School-Houſe.

VI. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Truſtees, and their Succeſſors, to erect and build in ſuch Part of the Pariſh, as they, or the major Part of them, ſhall think moſt convenient, a proper Houſe with Out-houſes, and to endow the ſame in Proportion to their Revenues; and, till the ſaid Houſe can be conveniently built, to hire one, ſuch as they ſhall think fit for the Purpoſe, for the abiding, dwelling, and neceſſary Uſe of one or more Maſters and Uſhers, for inſtructing Youth without Charge, in Reading, Writing, Arithmetick, Latin, Greek, the Mathematicks, and any other Parts of Learning, the ſaid Truſtees ſhall think proper; and for the abiding, dwelling, and neceſſary Uſe of ſuch poor Children of the Pariſh of *Weſtmoreland*, for the Time being as aforeſaid; and maintaining ſuch poor Children, and finding and providing them with all Neceſſaries for ſuch Time and Times, and in ſuch Manner and Form, as the ſaid Truſtees, or their Succeſſors, or the major Part of them, ſhall from Time to Time direct; and that they the ſaid Truſtees, and their Succeſſors, or the major Part of them, ſhall have full Power and Authority to name and appoint ſuch Perſon or Perſons as they ſhall think properly qualified to be Maſters and Uſhers of the ſaid School.

Proviſo.

VII. Provided they be of the Religion of the Church of *England*, and are well affected to the Proteſtant Succeſſion; and, upon any Miſbehaviour or Diſability, to remove the ſaid Maſters or Uſhers, or any of them; and when the Places of them, or any of them, by Deprivation, Reſignation, or Death, ſhall become vacant, the ſaid Truſtees and their Succeſſors ſhall and may, within Thirty Days after ſuch Vacancy, by Writing under their common Seal, appoint one, or more, qualified as aforeſaid, in the Places of them, and every of them ſo deprived, reſigning, deceaſing, or their Places becoming vacant.

Truſtees to receive Children, &c.

VIII. And be it enacted by the Authority aforeſaid, That the ſaid Truſtees, or their Succeſſors, or the major Part of them, ſhall, and may receive into the ſaid Free-ſchool, as many Children of the ſaid Pariſh as they ſhall think proper, in Proportion to the Revenues of the ſaid School, and, upon any Miſbehaviour or Inability, or upon attaining the Age of Fourteen, to remove, or diſcharge them or any of them, and to take and receive others into the ſaid Free-ſchool, in their Place and Stead; and that the ſaid Truſtees, or their Succeſſors, or the major Part of them, ſhall and may, from Time to Time, expend ſuch Sum or Sums of Money, in Proportion to the Revenues of the ſaid School, in and about the repairing, maintaining, upholding, or enlarging the ſaid School, and Buildings thereunto belonging, as they ſhall think convenient, requiſite, and neceſſary.

To make Ordinances, &c.

IX. And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees, and their Succeſſors, or the major Part of them, ſhall and may have full Power and Authority under the ſaid common Seal, to make, ordain, and preſcribe ſuch Rules and Ordinances for the good Order and Government of the ſaid Free-School, and of the ſaid Maſters, Uſhers, and Children, and for ſettling their and every of their Stipends and Allowances, as to them ſhall ſeem meet, convenient, and neceſſary; and that the ſaid Rules and Ordinances by them, or the major Part of them, ſo made, ordained, and preſcribed, ſhall ſtand and be in full Force and Strength in Law; the ſame not being repugnant or contradictory to his Majeſty's Prerogative, nor the Laws or Statutes of *England* and this Iſland; and that the ſaid Truſtees and their Succeſſors, or the major Part of them, ſhall and may have full Power and Authority to viſit the ſaid School, and to order, reform, and redreſs all Diſorders and Abuſes in, and touching the Government and Management of the ſame, in ſuch Manner, and at ſuch Times, as to them ſhall ſeem fit.

X. And be it enacted by the Authority aforeſaid, That it ſhall not be lawful for any of the Truſtees, or their Succeſſors, to keep in his or their Hands above Thirty Days, or to apply to his, or their own Uſe or Benefit, or to take or borrow on Intereſt any Sum or Sums of Money given to, or for the Uſe of the ſaid Free-ſchool, or that ſhall ariſe or become due for Intereſt or Rent; nor ſhall they, or any of them, buy, ſell, rent, or leaſe to one another, or to any of the ſaid Truſtees, any of the Lands, Tenements, or Hereditaments, which may be ſettled, purchaſed or given to, or for the Uſes aforeſaid. 1738. Not to borrow the Donation Money.

XI. And be it further enacted by the Authority aforeſaid, That every Perſon and Perſons offending, or in any Thing acting contrary to the true Intent and Meaning of this Act, or any Part thereof, ſhall reſpectively forfeit for every ſuch Offence the Sum of Fifty Pounds; one third to his Majeſty, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; one Third for the Uſe of the ſaid Free-School, and the other third to the Informer, or him or them who ſhall ſue or proſecute for the ſame; to be recovered by Action of Debt, Bill, Plaint, or Information, in any of the Courts of Record of this Iſland, wherein no Eſſoin, Protection, Injunction, or Wager of Law ſhall be allowed, or *Non vult ulterius proſequi* be entered; any Law, Cuſtom, or Uſage, to the contrary notwithſtanding.

An Act for the reducing the Intereſt of Money on all future Contracts, and for the advancing the Credit of Bills of Exchange.

Act 119.

Whereas, by an Act of Parliament paſſed in *Great Britain* in the Fifth Year of his Majeſty's Reign, entituled, *An Act for the more eaſy Recovery of Debts in his Majeſty's Plantations and Colonies in* America, Creditors in the Colonies are ſecured in their Debts in a more ample Manner than when Intereſt was eſtabliſhed in this Iſland at Ten Pounds *per Centum per Annum*; Wherefore, and for that the ſeveral Commodities, the Product of this Iſland for many Years paſt, have been reduced from their former Value, and the Lands are alſo impoveriſhed of their former Fertility, and the ſeveral Commodities imported for the Uſe of the Planter greatly advanced in their ſeveral Rates; and that no Trade or Manufacture of this Iſland can bear ſo great an Intereſt as hath been uſually paid for the Loan of Money; and as it has been the Practice of all wiſe Nations to ſet Bounds to deſperate or over adventurous Perſons, as well as to the Young and Extravagant, by reducing the Intereſt, or Premium, for the Loan of Money, to ſuch Rate as what naturally can be produced by Induſtry or Traffic, all beyond that being Extortion; may it pleaſe your moſt excellent Majeſty that it may be enacted; be it therefore enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted by the Authority of the ſame, That on all Mortgages, Bonds, and other Specialties to be entered into, and executed from and after the Twenty eighth Day of *May*, in this preſent Year of our Lord One thouſand ſeven hundred and thirty nine, no Perſon or Perſons whatſoever take, directly or indirectly, for Loan of any Monies, Wares, Merchandiſes, or other Commodities whatſoever, above the Value of eight Pounds for the Forbearance of one hundred Pounds for a Year, and ſo after that Rate for a greater or leſſer Sum, or for a longer or ſhorter Time; and that all Mortgages, Bonds, and other Specialties, made after the ſaid Twenty eighth Day of *May*, in the ſaid Year of our Lord One thouſand ſeven hundred and thirty nine, for Payment of any Principal, or Money to be lent, or covenanted to be performed, upon or for any Uſury, whereupon or whereby there ſhall be reſerved or taken above the Rate of Eight Pounds in the Hundred, as aforeſaid, ſhall be utterly void; and that all and every Perſon and Perſons whatſoever, which ſhall, after the ſaid Twenty eighth Day of *May*, in the ſaid Year of our Lord One thouſand ſeven hundred and thirty nine, upon any ſuch Mortgage, Bond, or other Specialty, take, accept, and receive, by Way or Means of any corrupt Bargain, Loan, Exchange, Chevizance, Shift, or Intereſt of any Wares, Merchandize, or other Thing or Things whatſoever, or by any deceitful Ways or Means, or by Intereſt reduced to 8 *per Cent.*

1738. by any Covin, Engine, or deceitful Conveyance for the forbearing or giving Day of Payment for one whole Year, of, and for their Money, or other Things, above the Sum of Eight Pounds for the Forbearance of One hundred Pounds for a Year, and ſo after that Rate for a greater or leſſer Sum, or for a longer or ſhorter Time, ſhall forfeit and loſe for every ſuch Offence the treble Value of the Money, Wares, Merchandizes, and other Things ſo lent, bargained, exchanged or ſhifted; which Penalty ſhall be recovered in his Majeſty's Supreme Court of Judicature of this Iſland, by Action of Debt, Bill, Plaint, or Information; wherein no Eſſoin, Imparlance, Protection, Injunction, or Wager of Law ſhall be granted or allowed, or *Non vult ulterius proſequi* be entered; one Moiety whereof ſhall be to his Majeſty, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof, and the other Moiety to the Informer, or him or them who ſhall inform or proſecute for the ſame; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

II. And whereas it has been found a great Prejudice to the Trade and Credit of this Iſland, that Bills of Exchange given in Payment to Perſons reſiding in this Iſland, or ſent to Merchants and others in *Great Britain*, and elſewhere, have come back proteſted; and that there is Reaſon to believe the ſame has been occaſioned by Perſons not being under any Penalties for drawing ſuch Bills, where no Effects have been in the Hands of their Correſpondents, nor Re-exchange allowed upon the Proteſts of ſuch Bills; be it therefore enacted by the Authority aforeſaid, That upon all Bills of Exchange proteſted and returned into this Iſland, either for Non-acceptance or Non-payment, a Re-exchange of eight Pounds *per Centum*, and ſo after that Rate for a greater or leſſer Sum, ſhall be allowed and recovered, over and above the common and uſual Exchange on ſuch Bills and Intereſt.

Bills of Exchange.

An Act for confirming the Articles executed by Colonel John Guthrie, *Lieutenant* Francis Sadler, *and* Cudjoe *the Commander of the Rebels; for paying Rewards for taking up and reſtoring runaway Slaves, and making Proviſion for four white Perſons, reſiding, or to reſide at* Trelawney Town; *and for granting Freedom to Five Negroes who were Guides to Parties.*

Act 120. WHEREAS upon the late Submiſſion of *Cudjoe*, and all the Rebels then under his Command to his Majeſty's Government, and his engaging for *Accompong*, and the Party of Rebels under his Command, to accept of ſuch Terms as the ſaid *Cudjoe* ſued for Articles of Agreement, were entered into and executed by Colonel *John Guthrie*, who commanded a Party of Militia, and Lieutenant *Francis Sadler*, who had the Command of a Detachment of Soldiers in the late Expedition againſt the Rebels, and the ſaid *Cudjoe*; the Tenor of which Articles is as follows, *viz.*

Articles of Pacification.

Jamaica *ſſ, at the Camp near* Trelawney Town, March 1*ſt*, 1738-9.

In *the Name of God, Amen.* Whereas Captain *Cudjoe*, Captain *Accompong*, Captain *Johnny*, Captain *Cuffee*, Captain *Quaw*, and ſeveral other Negroes their Dependants and Adherents, have been in a State of War and Hoſtility for ſeveral Years paſt againſt our Sovereign Lord the King, and the Inhabitants of this Iſland: And whereas Peace and Friendſhip amongſt Mankind, and the preventing the Effuſion of Blood, is agreeable to God, conſonant to Reaſon, and deſired by every good Man; and whereas his Majeſty *George* the Second, King of *Great Britain*, *France* and *Ireland*, and of *Jamaica* Lord, Defender of the Faith, *&c.* has by Letters Patent, dated *February* the Twenty-fourth, One thouſand ſeven hundred and thirty-eight, in the Twelfth Year of his Reign, granted full Power and Authority to *John Guthrie* and *Francis Sadler*, Eſquires, to negotiate and finally conclude a Treaty of Peace and Friendſhip with the aforeſaid Captain *Cudjoe*, the reſt of his Captains, Adherents, and others his Men, they mutually, ſincerely, and amicably

amicably have agreed to the following Articles, 1*ſt*, That all Hoſtilities ſhall ceaſe on both Sides for ever. 2*dly*, That the ſaid Captain *Cudjoe*, the reſt of his Captains, Adherents and Men, ſhall be for ever hereafter in a perfect State of Freedom and Liberty, excepting thoſe who have been taken by them, or fled to them within two Years laſt paſt, if ſuch are willing to return to their ſaid Maſters and Owners, with full Pardon and Indemnity from their ſaid Maſters or Owners for what is paſt. Provided always, That if they are not willing to return, they ſhall remain in Subjection to Captain *Cudjoe*, and in Friendſhip with us, according to the Form and Tenor of this Treaty. 3*dly*, That they ſhall enjoy and poſſeſs for themſelves and Poſterity for ever, all the Lands ſituate and lying between *Trelawney* Town and the Cockpits, to the Amount of Fifteen hundred Acres, bearing North-weſt from the ſaid *Trelawney* Town. 4*thly*, That they ſhall have Liberty to plant the ſaid Lands with Coffee, Cocoa, Ginger, Tobacco and Cotton, and to breed Cattle, Hogs, Goats, or any other Stock, and diſpoſe of the Produce or Increaſe of the ſaid Commodities to the Inhabitants of this Iſland. Provided always, That when they bring the ſaid Commodities to Market, they ſhall apply firſt to the *Cuſtos*, or any other Magiſtrate of the reſpective Pariſhes where they expoſe their Goods to Sale, for a Licence to vend the ſame. 5*thly*, That Captain *Cudjoe*, and all the Captain's Adherents, and People now in Subjection to him, ſhall all live together within the Bounds of *Trelawney* Town; and that they have Liberty to hunt where they ſhall think fit, except within three Miles of any Settlement, Crawl or Pen. Provided always, That in caſe the Hunters of Captain *Cudjoe*, and thoſe of other Settlements meet, then the Hogs to be equally divided between both Parties. 6*thly*, That the ſaid Captain *Cudjoe*, and his Succeſſors, do uſe their beſt Endeavours to take, kill, ſuppreſs or deſtroy, either by themſelves or jointly, with any other Number of Men commanded on that Service by his Excellency the Governor or Commander in Chief for the Time being, all Rebels whereſoever they be throughout this Iſland, unleſs they ſubmit to the ſame Terms of Accommodation granted to Captain *Cudjoe*, and his Succeſſors. 7*thly*, That in caſe this Iſland be invaded by any foreign Enemy, the ſaid Captain *Cudjoe*, and his Succeſſors herein after named, or to be appointed, ſhall then, upon Notice given, immediately repair to any Place the Governor for the Time being ſhall appoint, in order to repel the ſaid Invaders with his or their utmoſt Force; and to ſubmit to the Orders of the Commander in Chief on that Occaſion. 8*thly*, That if any white Man ſhall do any Manner of Injury to Captain *Cudjoe*, his Succeſſors, or any of his or their People, they ſhall apply to any commanding Officer or Magiſtrate in the Neighbourhood for Juſtice; and in caſe Captain *Cudjoe*, or any of his People, ſhall do any Injury to any white Perſon, he ſhall ſubmit himſelf, or deliver up ſuch Offenders to Juſtice. 9*thly*, That if any Negroes ſhall hereafter run away from their Maſters or Owners, and fall into Captain *Cudjoe*'s Hands, they ſhall immediately be ſent back to the Chief Magiſtrate of the next Pariſh where they are taken; and thoſe that bring them are to be ſatisfied for their Trouble, as the Legiſlature ſhall appoint. 10*thly*, That all Negroes taken ſince the raiſing of this Party by Captain *Cudjoe*'s People, ſhall immediately be returned. 11*thly*, That Captain *Cudjoe*, and his Succeſſors, ſhall wait on his Excellency, or the Commander in Chief for the Time being, every Year, if thereunto required. 12*th*, That Captain *Cudjoe*, during his Life, and the Captains ſucceeding him, ſhall have full Power to inflict any Puniſhment they think proper for Crimes committed by their Men among themſelves (Death only excepted) in which Caſe, if the Captain thinks they deſerve Death, he ſhall be obliged to bring them before any Juſtice of the Peace, who ſhall order Proceedings on their Trial equal to thoſe of other free Negroes. 13*th*, That Captain *Cudjoe* with his People ſhall cut, clear, and keep open, large, and convenient Roads from *Trelawney* Town to *Weſtmoreland* and St. *James*'s, and if poſſible to St. *Elizabeth*'s. 14*th*, That Two white Men to be nominated by his Excellency, or the Commander in Chief for the Time being, ſhall conſtantly live and reſide with Captain *Cudjoe* and his Succeſſors, in order to maintain a friendly Correſpondence with the Inhabitants of this Iſland. 15*th*, That Captain *Cudjoe* ſhall, during his Life, be Chief Commander in *Trelawney* Town, after his Deceaſe the Command to devolve on his

1739.

1739. Brother Captain *Accompong*; and in caſe of his Deceaſe, on his next Brother Captain *Johnny*; and, failing him, Captain *Cuffee* ſhall ſucceed, who is to be ſucceeded by Captain *Quaco*, and after all their Demiſes, the Governor or Commander in Chief for the Time being, ſhall appoint from Time to Time whom he thinks fit for that Command.

In Teſtimony of the above Preſents, we have hereunto ſet our Hands and Seals the Day and Date above written.

John Guthrie. (L.S.)
Francis Sadler. (L.S.)
The Mark ⊂ *of Captain* Cudjoe. (L.S.)

And whereas notwithſtanding his Excellency the Governor hath approved of the ſaid Articles, and that they are generally eſteemed ſuch, as great Advantages may be derived from them; yet it may be too much in the Power of ſome ill diſpoſed or inconſiderate Perſons, who have a Right of Property in the ſaid Negroes, or ſome of them, to defeat or render ineffectual the ſaid Articles of Agreement, by diſturbing or ſeizing upon the ſaid Negroes, who in Confidence, or under the Security of the ſaid Articles, may come in their Way. To prevent therefore the Diſcontents and other ill Conſequences that may attend ſuch a Perverſeneſs or Indiſcretion, we your Majeſty's moſt dutiful and loyal Subjects, the Aſſembly of this your Iſland of *Jamaica*, do humbly beſeech your moſt Excellent Majeſty, that it may be enacted; be it therefore enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland; and it is hereby enacted by the Authority of the ſame, That the ſaid Articles of Agreement, and every Clauſe and Article therein contained be, and they are hereby ratified and confirmed upon the Conditions and Terms in the ſaid Articles expreſſed; and that no Perſon whatſoever give any Interruption, or preſume to ſeize upon, or detain the ſaid Negroes, or any of them, upon a Pretence or Claim of Property, or diſturb the ſaid Negroes in the Poſſeſſions and Privileges granted, or intended to be granted to them by the ſaid Articles of Agreement, until a manifeſt Breach ſhall appear to be made on the Part of *Cudjoe*, or his Succeſſors, of the ſaid Articles, or ſome or one of them, under the Penalty of Five hundred Pounds for every ſuch Interruption, Seizure, Detention or Diſturbance, to be recovered in the Supreme Court of Judicature of this Iſland, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoin, Protection, Imparlance, or Wager of Law ſhall be granted or allowed, or *Non vult ulterius proſequi* be entered; and one Moiety whereof ſhall be to his Majeſty, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Moiety to him or them who ſhall inform or ſue for the ſame.

The Articles ratified.

II. And whereas *Cudjoe* has engaged to ſend all Slaves, who ſhall hereafter run away and fall into his Hands, to the Chief Magiſtrate of the next Pariſh where they ſhall be taken; be it enacted by the Authority aforeſaid, That all runaway Slaves to be taken by *Cudjoe*, or any of the Negroes at *Trelawney* Town, under his Command, ſhall be by him or them delivered to the next Magiſtrate, who is hereby directed and obliged to pay the ſaid *Cudjoe*, or the ſaid Negroes bringing ſuch Runaways to him, the Sum of Ten Shillings, under the Penalty of Five Pounds, for every Neglect or Refuſal of ſuch Magiſtrate to pay the ſame; and every ſuch Magiſtrate to whom any Negroe or Negroes ſhall be delivered by the ſaid *Cudjoe*, or any of the Negroes under his Command, as aforeſaid, ſhall be, and he is hereby obliged, under the Penalty of Five Pounds, within Ten Days after ſuch Negroe or Negroes ſhall be ſo delivered to him, to ſend ſuch Negroe or Negroes to the reſpective Owner or Owners, if the ſaid Magiſtrate ſhall know the Owner or Owners, and ſhall receive from the Owner, for each Slave ſo ſent, the ſaid Sum of Ten Shillings, paid by him to *Cudjoe*, or any of the Negroes under his Command as aforeſaid, with a Poundage at and after the Rate of Two Shillings and Six-Pence *per* Pound for laying out his Money, beſides Mile-money, ſuch as is ordered or directed to be paid by the Owners of Runaways, by an Act, entituled, *An Act for the better Order and Government of Slaves*; and in caſe the Owner ſhall neglect or refuſe to pay the ſaid Sums herein before directed to ſuch Magiſtrate,

Runaway Slaves, how to be diſpoſed of.

ſtrate, or his Order, and Oath be made thereof before any other Juſtice of the Peace, the ſaid Juſtice is hereby authorized and required, under the Penalty of Five Pounds, to iſſue his Warrant, and direct the ſame to any Conſtable to diſtrain on the Goods of the ſaid Owner, and the ſame, or ſo much thereof as will ſatisfy and pay the ſaid Sums herein before directed to be paid to the ſaid Magiſtrate; and in caſe the Magiſtrate, to whom any runaway Slave ſhall be delivered as aforeſaid, ſhall not know, nor be informed, who the Owner of ſuch runaway Slave ſhall be, ſuch Magiſtrate ſhall ſend the ſaid runaway Slave to the next Marſhal, who is hereby required to pay to the ſaid Magiſtrate the Sums herein before directed to be paid by the Owner, in caſe ſuch runaway Slave ſhall be brought to him, and to be recovered in the ſame Manner of the ſaid Marſhal, in caſe of Neglect or Refuſal; and that it ſhall and may be lawful for the ſaid Marſhal to detain and keep in his Cuſtody the Body of ſuch runaway Slave, until the Owner ſhall reimburſe him what he ſhall have paid as aforeſaid, for ſuch runaway Slave, together with ſuch Poundage and other Charges as are allowed to Marſhals paying for runaway Slaves, by the ſaid Act, entituled, *An Act for the better Order and Government of Slaves.* 1739.

Four white Perſons to reſide in the Negroe Towns.

III. AND whereas it is thought neceſſary, that Four white Perſons ſhould reſide among the ſaid Negroes, who have lately ſurrendered and ſubmitted themſelves to the Government, in order that ſuch white Perſons may receive and communicate ſuch Orders as ſhall be ſent by his Excellency the Governor to the ſaid Negroes; be it enacted by the Authority aforeſaid, That each of the ſaid Four Perſons who are or ſhall be appointed by his Excellency the Governor, or the Commander in Chief for the Time being, for the above mentioned Service, ſhall be paid at and after the Rate of Two hundred Pounds *per Annum*, for and during ſuch Time as he hath reſided, or ſhall reſide, and be upon actual Duty among the ſaid Negroes.

Cuffee, Sambo, and *Quaſhey* made free.

IV. AND whereas a Negroe Man named *Cuffee*, belonging to the Heirs or Repreſentatives of *John Laurence* Eſq; deceaſed, and *Sambo* belonging to *John Roach* of the Pariſh of St. *Elizabeth*, and *Quaſhey* belonging to the Heirs or Repreſentatives of *William Williams* Eſq; deceaſed, being lately taken by the Rebels, deſerted them, and engaged in the Service of the Country, by going out as Guides with the ſaid Party, and led them to the Negroe Town; be it further enacted by the Authority aforeſaid, That as an Encouragement for their Service, the ſaid Negroes named *Cuffee*, *Sambo* and *Quaſhey*, be, and they are hereby abſolutely manumiſed, and for ever ſet and made free, and they are hereby accordingly manumiſed, and for ever ſet and made free.

V. AND be it further enacted by the Authority aforeſaid, That the Receiver-General do out of any publick Money in, or that ſhall come to his Hands unappropriated, forthwith pay to the reſpective Owners of the ſaid ſeveral Negroes, the Sum of Forty Pounds for each of them.

Venus and *Affiba* made free.

VI. AND whereas a Negroe Woman, named *Venus*, lately belonging to—— *Lamport* of the Pariſh of *Clarendon* deceaſed, having deſerted from *Accompong*'s Town, acquainted Colonel *Blake*, that moſt of the Rebels were gone out a hunting or robbing, and that it was a proper Opportunity to take the Town, and lead a Party into the ſame: And whereas a Negroe Woman named *Affiba*, about ſix Years ſince, belonging to Mr. *Garbrand*'s Eſtate, of her own Accord deſerted the Rebels, and guided Colonel *Dwarris* to the Negroe Town, which he took; be it therefore enacted by the Authority aforeſaid, That the ſaid two Negroe Women be alſo manumiſed, and for ever abſolutely ſet free, and they are hereby accordingly manumiſed, and for ever ſet free; and that the Receiver-General do forthwith pay to the Proprietors of the ſaid reſpective Negroe Women the ſeveral Sums of Thirty Pounds for each of them, out of any Money in, or that ſhall come to his Hands unappropriated.

VII. AND be it further enacted by the Authority aforeſaid, That the Secretary of this Iſland do within Thirty Days after the paſſing of this Act, make out Copies thereof, and cauſe the ſame to be tranſmitted to the *Cuſtos*, or Chief Magiſtrate of each of the reſpective Pariſhes in this Iſland, for each of which Copies he ſhall be paid the Sum of Twenty Shillings by the Receiver-General, out of any Fund or Funds in his Hands unappropriated.

1739. *An Act for the uniting of thoſe Parts of* Carpenters *Mountains, heretofore eſteemed Part of the Pariſhes of St.* Elizabeth *and* Clarendon, *to the Pariſh of* Vere.

Act 121. WHEREAS thoſe Parts of *Carpenters* Mountains, lying in the Pariſhes of St. *Elizabeth* and *Clarendon*, being far diſtant from the uſual Places of the Meetings of the Juſtices and Veſtry of the ſaid reſpective Pariſhes, and the Plantations in the ſaid Mountains being much infeſted with rebellious Negroes, the Inhabitants of the ſaid Mountains cannot without long Time of Warning, extraordinary Fatigue, Loſs of Time, and great Expence and Difficulties, convene and appear on publick Occaſions, either at Church, Election of Members to ſerve as Repreſentatives in Aſſemblies, chooſing Church-wardens or Veſtrymen, aſſeſſing Taxes, appointing Surveyors, and attending the Quarterly Seſſions and Trials of Negroes, whereby many Privileges to the Inhabitants of thoſe Parts of the ſaid Mountains, as Subjects of *Great Britain*, are in a great Meaſure loſt; And whereas the uniting thoſe Parts of the ſaid Pariſhes of St. *Elizabeth* and *Clarendon*, called *Carpenters* Mountains, bounding from the Mouth of *Milk* River, Ten Miles up the ſame River-courſe to the Bounds of *Sutton* and *Sperry*, and thence with a Northweſt Line croſs the Mountains to *Manatee Savannah*, and along the Top of the ſaid Mountains to *Aligator* Pond, and along the Sea-ſide to the Mouth of *Milk* River aforeſaid, according to the * Plan annexed, would be the moſt effectual Remedy for the Eaſe and Relief of the Inhabitants of the ſaid Mountains from ſuch their Difficulties, without much Inconvenience to the Inhabitants, either of the Pariſhes of St. *Elizabeth*'s or *Clarendon*; may it pleaſe your moſt excellent Majeſty that it may be enacted; be it therefore enacted by your Majeſty's Governor, Council, and Aſſembly of this your Iſland, and it is hereby enacted by the Authority of the ſame, That thoſe Parts of *Carpenters* Mountains, heretofore eſteemed Part of the ſaid Pariſhes of St. *Elizabeth* and *Clarendon*, bounding as herein before deſcribed, according to the ſaid Plan annexed, ſhall for ever hereafter be united and annexed to, and be taken and eſteemed, to all Intents and Purpoſes, as Part of the ſaid Pariſh of *Vere*; and that the Inhabitants of thoſe Parts of the ſaid *Carpenters* Mountains herein before deſcribed, and their Heirs, Repreſentatives and Succeſſors, ſhall for ever hereafter have, uſe, exerciſe, and enjoy all and every the Powers, Authorities, Benefits, Rights, Immunities, and Privileges, which all or any of the Inhabitants of the ſaid Pariſh of *Vere*, or their Heirs, Repreſentatives, or Succeſſors, ought to have, uſe, exerciſe, or enjoy of common Right, or by virtue of any general Act or Acts of this Iſland, as fully, amply, and effectually, as if thoſe Parts of the ſaid Mountains, now, or heretofore in the ſaid Pariſhes of St. *Elizabeth* and *Clarendon* had been originally in, or Part of the ſaid Pariſh of *Vere*, and had never been deemed or taken to have been in, or eſteemed as Part of the ſaid Pariſhes of St. *Elizabeth* and *Clarendon*, or either of them, any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Boundaries deſcribed.

* *To be ſeen in the Secretary's Office.*

Parts united.

II. And whereas the Inhabitants of thoſe Parts of the ſaid Mountains, before the paſſing of this Act eſteemed to have been in the ſaid Pariſhes of St. *Elizabeth* and *Clarendon*, or one of them, may have been indebted, or in arrear in, or by Reaſon of ſome publick or parochial Taxes, Debts, or Sums of Money; and whereas before the paſſing of this Act, Money might have been aſſeſſed, taxed, collected, or paid, to the Church-wardens, or Conſtables of the ſaid reſpective Pariſhes of St. *Elizabeth* and *Clarendon*; be it therefore enacted by the Authority aforeſaid, That the Church-wardens, already choſe for the Pariſhes of St. *Elizabeth* and *Clarendon*, ſhall reſpectively have, and receive ſuch Proportion of the Money already aſſeſſed, taxed, levied, or paid, as were taxed, levied, collected, or paid in, or by the Inhabitants of thoſe Parts of the ſaid *Carpenters* Mountains, before the paſſing of this Act, eſteemed to have been in, or Parts of the ſaid reſpective Pariſhes of St. *Elizabeth* and *Clarendon*, or as if this Act had never been made; and that the Inhabitants of thoſe Parts of the ſaid Mountains, heretofore in the ſaid Pariſhes of St. *Elizabeth* and *Clarendon*, ſhall raiſe Money according to their Aſſeſſments, and in ſuch Proportions, for the Payment and Diſcharge of ſuch Publick Debts as were due from, or

Regulation of Taxes.

or ought to have been paid by the Inhabitants of thoſe Parts of the ſaid Mountains before the paſſing of this Act deemed to have been in the Pariſhes of St. *Elizabeth* and *Clarendon*, or either of them, and pay the ſame to ſuch Perſon and Perſons, and in ſuch Manner and Form, as if this Act had never been made; and that the Juſtices and Veſtry of the ſaid Pariſhes of St. *Elizabeth* and *Clarendon* ſhall have the ſame Powers and Authorities, and ſhall and may aſſeſs, collect, and levy all ſuch Arrearages as are, or may be due, from the Inhabitants of thoſe Parts of *Carpenters* Mountains, before the paſſing of this Act eſteemed to have been in the ſaid Pariſh of St. *Elizabeth* and *Clarendon*, in as large and ample a Manner, as they had, or could, or might have done, before the paſſing of this Act; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. 1739.

An Act for the better ſecuring and collecting his Majeſty's Fines, Forfeitures and Amerciaments.

ACT 122.

WHEREAS by an Act of the Governor, Council, and Aſſembly of this Iſland, entituled, *An Act for ſecuring and collecting his Majeſty's Quit-rents, Fines, Forfeitures, and Amerciaments, and for regulating the Manner of Eſcheats, and for ſecuring the Poſſeſſors of Lands already forfeited and ſettled, and further Diſcovery of ſuch forfeited Lands, and encouraging the ſettling thereof*, paſſed the Seventeenth Day of *Auguſt* One thouſand ſeven hundred and thirty-three, it is enacted that for the future, all Fines, Forfeitures, and Amerciaments ſhall be paid into the Hands of the Receiver General, or his Deputy; and that no other Perſon or Perſons preſume to receive or diſcharge the ſame, or any Part of them, or any other Publick Money, not otherwiſe particularly directed by any Act as to the Payment thereof, under the Penalty of Five hundred Pounds; any Law, Cuſtom, or Uſage to the contrary notwithſtanding; and whereas the ſaid Clauſe is found to be attended with many Inconveniencies, may it therefore pleaſe your moſt excellent Majeſty that it may be enacted; be it therefore enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland; and it is hereby enacted by the Authority of the ſame, that the aforeſaid * Clauſe and every Part thereof be, and is hereby repealed, annulled, and made void, and that all Fines, Forfeitures, and Amerciaments already laid and not paid into the Receiver General, as well as all ſuch as ſhall hereafter ariſe in any Courts of Judicature within this Iſland, where his Majeſty's Grace and Favour is not extended, ſhall be raiſed, levied, collected, and paid in ſuch Manner, as is directed by an Act, entituled, *An Act for the more ſpeedy collecting his Majeſty's Quit-rents, Fines, Forfeitures, and Amerciaments*, paſſed in Sixteen hundred and ninety ſix; the ſaid recited Act, or any other Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Clauſe XII. *of Act* 99 *repealed.*

An Act for veſting a Number of Negroes in the Crown, for the Uſe of the Barracks, and cutting and clearing of Roads, and for exempting the Pariſh of Vere *from joining with the Pariſh of* Clarendon, *in building and repairing the* Cave River Barrack.

ACT 123.

WHEREAS the building and garriſoning of Barracks in ſeveral expoſed Parts of this Iſland, and cutting and clearing Roads of Communication, will be the moſt effectual Method of protecting the Inhabitants, and keeping in Awe and reducing the Slaves in Rebellion, as well as preventing the Slaves in Plantations from joining with them: And whereas the Laws hitherto made for thoſe Purpoſes; to wit, *An Act for the better ſettling and ſecuring the Iſland, and veſting ſeveral Parcels of Land in the Crown, and for building of Barracks and fitting out of Parties for the reducing the rebellious Negroes, and cutting of Roads*; *An Act for the Eaſe and Relief of the Inhabitants of this Iſland, in building of Barracks, and remedying and ſupplying ſome Defects and Omiſſions in the late Barracking Law*; and, *An Act for the building and compleating of Barracks or Fortreſſes,*

1739. *and cutting of Roads and appointing Commiſſioners for the better effecting the ſame,* have not proved effectual, ſeveral Owners of Slaves having been unwilling to ſend their Negroes to the Barracks, purſuant to the Allotments made; or entertaining and employing ſuch Negroes as often as they have deſerted, and never furniſhing others in Lieu of them; which Practices cannot well be prevented while the Properties of Negroes intended for this Service remain in private Perſons: In order therefore the better to carry on and complete a Work ſo well calculated for the Tranquility and Safety of this Iſland in general, and that the Burthen and Expence may not only be lightened by reducing the Number of Negroes formerly intended and raiſed for the ſaid Service, but alſo lye equally on the Inhabitants, whereas thoſe Perſons who were not well diſpoſed have hitherto bore no Part of it: May it pleaſe your moſt excellent Majeſty that it may be enacted; be it therefore enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted by the Authority of the ſame, That the Juſtices and Veſtries of the ſeveral Pariſhes, or the Juſtices in ſuch Pariſhes where no Veſtries are, directed to raiſe and allot Negroes for the building of Barracks and cutting of Roads, ſhall, on or before the firſt Day of *July*, in the Year of our Lord One thouſand ſeven hundred and thirty-nine, allot, out of the Negroes raiſed and allotted by all or any of the ſaid recited Barracking Laws, Twenty-five able Negro Men for each of the Twelve Barracks built or directed to be built in purſuance of the Barracking Laws, and ſhall deliver the ſaid Negroes to the Commiſſioners of the ſaid Barracks reſpectively, or one of them, which Negroes, after ſuch Allotment and Delivery, ſhall be by the reſpective Commiſſioners marked ↑, and from thenceforth be veſted in his Majeſty, his Heirs and Succeſſors, for and during the Term of Three Years, and no longer, to and for the Uſe of the ſaid Barracks; and where two or more Pariſhes are directed to raiſe Negroes for any Barrack by the ſaid recited Acts, or either of them, the ſaid Pariſhes ſhall ſupply their *Quotas* to make up the Number of Twenty-five Negroes, in Proportion to the Number of Negroes in each Pariſh reſpectively.

25 able Negroes allotted to each of the 12 Barracks.

II. And be it further enacted by the Authority aforeſaid, That the ſaid Negroes ſo allotted, ſhall be valued by the Juſtices and Veſtry of the ſeveral Pariſhes reſpectively, or by the Juſtices in ſuch Pariſhes where no Veſtries are; and that the Juſtices in each Pariſh ſhall have Power, and they are hereby impowered and required to adminiſter an Oath to every Owner or Overſeer who ſhall have the Care of ſuch Negro ſo allotted, that to the beſt of his Knowledge, the ſaid Negro is a good and able Slave, and not uſed to run away; and the Owner or Proprietor of all ſuch Negroes ſhall be paid ſuch their Values reſpectively, by Taxes to be raiſed by the ſaid Juſtices and Veſtries of the ſeveral Pariſhes, or by the Juſtices in ſuch Pariſhes where no Veſtries are, where ſuch Allotments ſhall be made, which ſaid Taxes the ſaid Juſtices and Veſtries, or the Juſtices in ſuch Pariſhes where no Veſtries are, are hereby required and obliged to raiſe, collect, and pay, on or before the firſt Day of *July*, which will be in the Year of our Lord One thouſand ſeven hundred and forty; and the ſame ſhall be raiſed, levied, collected, and paid in ſuch Manner and Form as the Deficiency and parochial Taxes are or uſually have been.

To be paid for by a Tax.

How to be employed.

III. And be it further enacted by the Authority aforeſaid, That the Negroes ſo allotted and appropriated, ſhall be employed in building and finiſhing Barracks, where they are not already compleated, and repairing ſuch as are or have been finiſhed, as Baggage Negroes, when the Governor or Commander in Chief, or the Commiſſioners for the ſaid reſpective Pariſhes, or any two of them, ſhall ſo order, in bringing Proviſions to the Barracks, and in cutting and clearing Roads; not only ſuch as are ordered by the laſt Barracking Law, but likewiſe all ſuch other Roads as ſhall be thought neceſſary by the Governor or Commander in Chief for the Time being; and that the ſaid Negroes ſhall be entirely under the Care of the Commiſſioners for the ſaid reſpective Barracks, or any Two of them, and ſuch Overſeers as they ſhall put over them; and that no other Perſon ſhall interfere, except in Caſes where his Excellency the Governor, or the Governor or Commander in Chief, ſhall expreſſly order them upon any of the Services aforeſaid.

IV.

1739.

IV. And whereas it will be neceſſary to keep up the ſaid Number of Twenty-five Negroes for each Barrack, for the Term of Three Years as aforeſaid; be it enacted by the Authority aforeſaid, That in Caſe of the Death of any of the ſaid Negroes, at or belonging to the ſaid Barracks, the ſaid Commiſſioners for ſuch Barracks reſpectively, or any Two of them, ſhall, as ſoon as conveniently may be, certify the ſame to the Receiver-General for the Time being, who is hereby required to purchaſe forthwith, with any Fund or Funds in his Hands raiſed for the Uſe of Parties, one or more Negro or Negroes, to be placed in the Room of ſuch of the ſaid Negroes as ſhall die, which Negro or Negroes ſhall be marked and veſted in his Majeſty, his Heirs and Succeſſors, to and for the Uſes aforeſaid, and under the Regulations herein before directed, for the Term of Three Years, as aforeſaid.

Receiver General to purchaſe Negroes inſtead of thoſe that die.

V. And whereas a general Tax hath been uſually laid on Negroes in the Town of *Kingſton*, and that Town hath generally hired their Proportion of Negroes of poor Perſons, who often have had little elſe than thoſe Negroes to depend upon; and as it may be a hardſhip to ſuch poor People to have their Negroes allotted and veſted in the Crown, on being paid only ſuch Values for them as are generally paid for working Slaves; be it therefore enacted by the Authority aforeſaid, That the Juſtices and Veſtry of the ſaid Pariſh of *Kingſton* be, and they are hereby impowered to raiſe a Tax on the Owners of all the Negroes in the ſaid Pariſh, ſuch as they ſhall judge ſufficient to purchaſe the Proportion of Negroes they are or ſhall be obliged to furniſh for the Service aforeſaid; which Negroes, by the ſaid Pariſh of *Kingſton* ſo to be purchaſed, ſhall be good, able, ſeaſoned, and not new Negroes, but ſuch as ſhall be proper and fit for the Service, and which ſhall be allotted and purchaſed on or before the ſaid firſt Day of *July*, in the ſaid Year of our Lord One thouſand ſeven hundred and thirty-nine; which Tax, after the Aſſeſſment made by the Juſtices and Veſtry, ſhall be collected by the Conſtables of the ſaid Pariſh of *Kingſton*, by Warrant under the Hands and Seals of Two of the Juſtices of the Peace of the ſaid Pariſh, with Power to diſtrain on the Goods or Effects of ſuch Perſon or Perſons as ſhall refuſe the Payment of ſuch Aſſeſſment, and to ſell the ſame at publick Outcry, in the uſual Manner; and which Negroes, when ſo purchaſed by the Inhabitants of the ſaid Pariſh of *Kingſton*, ſhall be alſo marked ↑, and delivered to the ſaid Commiſſioners, or ſome or one of them, and be alſo veſted in his Majeſty, his Heirs and Succeſſors, to and for the Uſes afore mentioned, for the Term of Three Years, as aforeſaid.

Negroes to be raiſed in *Kingſton* by a Tax.

VI. And whereas the Inhabitants of the Town of *Kingſton* have greatly neglected furniſhing their *Quotas* of Negroes for cutting of Roads and building of Barracks, as directed by the late Barracking Laws, or one of them; be it enacted by the Authority aforeſaid, That the Juſtices and Veſtry of the ſaid Town of *Kingſton* ſhall, on or before the firſt Day of *July* next, raiſe, levy, collect, and pay, or cauſe to be raiſed, levied, collected, and paid to the Commiſſioners of ſuch Barrack or Barracks reſpectively, all ſuch Arrearages and Deficiencies as are or ſhall be due from the ſaid Town of *Kingſton*, within Three Months from the paſſing of this Act, at and after the Rate of Fifteen-Pence *per Diem* for every Negroe which they have been or ſhall be ſo deficient in.

Deficiencies, &c. to be raiſed by *Kingſton*.

VII. And whereas by an Act, entituled, *An Act for building and compleating of Barracks or Fortreſſes, and cutting of Roads, and appointing Commiſſioners for the better effecting the ſame*, it is enacted, That *Thomas Rodon*, *Samuel Smith*, *John Nairn*, and *Moſes Kellitt*, Eſqrs. and Mr. *James Rodon*, ſhould be Commiſſioners for the Barrack between the Pariſh of *Clarendon* and *Drax*'s *Hall*, in the Pariſh of St. *Anne*, called *Cave River*, aud that the ſame ſhould be kept in Repair and ſupported by the Inhabitants of the Pariſhes of *Clarendon* and *Vere*, in the ſame Manner and Proportion as directed by an Act, entituled, *An Act for dividing this Iſland into two Diviſions, to be for ever hereafter known and deſcribed by the Names of the* Eaſtern *and* Weſtern Diviſions, *for erecting and building Barracks in the ſaid* Weſtern Diviſion, *cutting and clearing of Roads therein, and for raiſing and fitting out Parties for the more ſpeedy and effectual ſuppreſſing the rebellious and runaway Negroes:* And whereas the Pariſh of *Vere* receives little or no Benefit from the ſaid Barrack; be it therefore further enacted by the Authority aforeſaid, That the

1739. the ſaid Barrack, between the Pariſh of *Clarendon* and *Drax's Hall*, in the Pariſh of St. *Annes*, called *Cave River*, ſhall from henceforth be kept in repair and ſupported by the Inhabitants of the Pariſh of *Clarendon* only, without any Aid from the Pariſh of *Vere*; the above mentioned, or any other Act or Law to the contrary notwithſtanding.

Barrack to be ſupported by the Pariſh of *Clarendon*.

VIII. And be it further enacted by the Authority aforeſaid, That from and after the firſt Day of *July*, in the ſaid Year of our Lord One thouſand ſeven hundred and thirty-nine, all thoſe who ſhall have been Owner and Owners of any Slaves or other Perſon or Perſons whatſoever, who ſhall preſume to conceal, entertain, or employ, any of the ſaid Negroes ſo allotted, or to be allotted, upon or for the Service aforeſaid, ſhall be ſubject and liable to all the Penalties and Forfeitures mentioned in three ſeveral Acts; one entituled, *An Act for the better Order and Government of Slaves*, one other, entituled, *An Act to prevent the enticing or inveigling of Slaves from the Poſſeſſors, and for preventing the Tranſportation of Slaves, by Mortgagers or Tenants for Life or Years, and for regulating Abuſes committed by Slaves*; and one other Act, entituled, *An Act to inflict further and other Puniſhments on the Tranſgreſſors on the two ſeveral Acts*, the one entituled, *An Act for the better Order and Government of Slaves*, and the other entituled, *An Act to prevent the enticing or enveigling of Slaves from the Poſſeſſors, and for the preventing the Tranſportation of Slaves, by Mortgagers or Tenants for Life or Years, and for regulating Abuſes committed by Slaves*, and be proceeded againſt in like Manner as in the ſaid three Acts, or any of them, are directed.

Penalty on employing, &c. Negroes allotted for this Service.

IX. And be it further enacted by the Authority aforeſaid, That in all ſuch Particulars where any thing is expreſſly directed or enacted in this Act contrary to the ſaid Act, entituled, *An Act for building and compleating of Barracks or Fortreſſes, and cutting of Roads, and appointing Commiſſioners for the better effecting the ſame*, this Act ſhall be deemed and allowed a Repeal or Suſpenſion of the ſaid Law; but in all other Matters, Clauſes, and things therein contained, that no Repeal or Suſpenſion ſhall be implied; but that this Act ſhall be deemed and taken as a Confirmation of the ſaid Act or Law, to all Intents, Conſtructions, and Purpoſes whatſoever.

Proviſo.

X. Provided always, That nothing in this or any other Act contained, ſhall extend or be conſtrued to extend, to veſt, or continue any Power in any Perſon or Perſons, for raiſing any Negroes for the Services in this Act mentioned, other than ſuch as are hereby provided, except ſuch Power as by this or any former Act is veſted in the Governor or Commander in Chief for raiſing of Baggage Negroes in Caſes of great Emergency.

The Negroes raiſed for the Barracks veſted in the Juſtices and Veſtry, &c. after 3 Years.

XI. And be it further enacted by the Authority aforeſaid, That all the ſaid Negroes by this Act veſted in his Majeſty for the Term of Three Years, ſhall, after the ſaid Term, be abſolutely veſted in the Juſtices and Veſtries of the ſeveral Pariſhes, for the Uſe of the ſaid Pariſhes from which the ſaid Negroes were taken, and the ſaid Juſtices and Veſtries, and the Juſtices where no Veſtries are, ſhall be hereby authorized and impowered to bring and defend all Actions and Suits relating to the ſaid Negroes, in as full and ample Manner, to all Intents and Purpoſes, as any private Perſon can or may do, unleſs the ſaid Negroes ſhall be otherwiſe diſpoſed of by any Act or Acts of the Governor, Council, and Aſſembly of this Iſland.

Penalty on Juſtices, &c. neglecting their Duty herein.

XII. And be it further enacted by the Authority aforeſaid, That if any Juſtice, Commiſſioner, Veſtryman, or other Perſon, excepting thoſe Perſons herein before ſubjected to the Penalties of the ſaid ſeveral inveigling Acts laſt herein before mentioned, ſhall in any thing offend contrary to the true Intent and Meaning of this Act, or refuſe, neglect, or not perform his Duty therein in every thing according to the true Meaning thereof, that then every ſuch Juſtice, Commiſſioner, Veſtryman, or other Perſon, ſo offending, refuſing, neglecting, or not performing his Duty as aforeſaid, ſhall forfeit Fifty Pounds for every ſuch Offence, Refuſal, Neglect, or Non-performance of his Duty, as aforeſaid; to be recovered by Action of Debt, Bill, Plaint, or Information, in the Supreme Court of Judicature of this Iſland; wherein no Injunction, Protection, Imparlance, or Wager of Law ſhall be granted or allowed, or *Non vult ulterius proſequi* be entered;

tered; and one Moiety thereof ſhall be to the Uſe of his Majeſty, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Moiety to him or them who ſhall inform or ſue for the ſame; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. 1739.

XIII. And be it further enacted by the Authority aforeſaid, That the Secretary of this Iſland do make out Copies of this Act, and cauſe one Copy thereof to be tranſmitted to the *Cuſtos* or chief Magiſtrate of each of the Pariſhes in this Iſland, within Thirty Days next after the paſſing thereof; for each of which Copies he ſhall be paid the Sum of Twenty Shillings by the Receiver-General, out of any Money in, or that ſhall come to his Hands unappropriated.

An Act to repeal Part of an Act, entituled, An Act for the more effectual Puniſhment of Crimes committed by Slaves; *and to oblige the ſeveral Pariſhes to pay for all Negroes executed in each reſpective Pariſh.* 1740.

Act 124. WHEREAS, by an Act paſſed in the Year Seventeen hundred and Seventeen, entituled, *An Act for the more effectual Puniſhment of Crimes committed by Slaves*, among other Things it was enacted, That in all Caſes where any Slave ſhould be put upon his Trial by the Owner, Proprietor, or Perſon intruſted with ſuch Slave, and ſhould ſuffer Death, by the Sentence of ſuch Perſons as were impowered to pronounce the ſame, ſuch Perſon ſhould likewiſe enquire of his, her, or their Value, and certify the ſame, under the Hands of the Majority of them (one of which ſhould be a Juſtice of the Peace) to the Commiſſioner for the Time being, for paying of Parties to be ſent out for ſuppreſſing rebellious and runaway Slaves, which ſaid Commiſſioner ſhould, out of the Fund provided, or to be provided for that Purpoſe, pay to the Owner or Owners, whoſe Slave or Slaves the ſame were before Conviction, the full Value, he, ſhe, or they were valued at, by the ſaid Perſons who tried and condemned him, her, or them, the ſaid Slave or Slaves, which ſaid Sum, the ſaid Commiſſioner ſhould pay to the ſaid Owner or Owners, in full Recompence for the Loſſes, he, ſhe, or they had ſuſtained; and in all Caſes of Murder, the Owner or Owners of the Slave or Slaves killed, ſhould receive the full Value of ſuch Slave or Slaves, as well as the Owner or Owners of the Slave or Slaves executed for ſuch Murder; provided always, That no one Slave ſhould be appraiſed at above the Sum of Forty Pounds current Money of this Iſland; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding, as by the ſaid Act, amongſt other Things, may more fully appear: And whereas it is found by Experience, that the ſame is become a great Expence to the publick; may it therefore pleaſe your moſt excellent Majeſty that it may be enacted; and be it enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland, and it is hereby enacted by the Authority of the ſame, That all ſuch Part, and ſo much of the ſaid Act as is herein before recited be, and the ſame is hereby repealed; and * that in all Caſes, where any Slave or Slaves ſhall, from the making of this Act, be put on his, her, or their Trial, by the Owner or Proprietor of ſuch Slave or Slaves, as the ſaid Act directs, and ſhall be executed, and valued according to the Direction of the ſaid Act; in every ſuch Caſe the Sum or Sums, at which ſuch Slave or Slaves ſhall be ſo valued, ſhall be paid by the reſpective Pariſh or Pariſhes, wherein ſuch Slave or Slaves ſhall be ſo tried, valued, and executed, and no otherwiſe, or in other Manner; the ſaid recited Act, or any other Act, or Law to the contrary notwithſtanding.

* *This Clauſe repealed by* Act 163, Cl. I.

II. Provided nevertheleſs that no Perſon ſhall be allowed, or paid for the executing any Slave or Slaves who ſhall be tried for the breaking open any Hutts, or Negroe Houſes, or ſtealing from thence any Goods, or other Things, of leſs Value than Five Pounds. Proviſo.

III. And be it further enacted by the Authority aforeſaid, That the Juſtices and Veſtry in the reſpective Pariſhes of this Iſland be, and they are hereby impowered

1740. powered and required to raiſe, aſſeſs, and levy a ſufficient Tax for the paying of all Slaves, which ſhall be hereafter tried and executed, purſuant to the ſaid recited Law, in ſuch Manner and Form, as the Pariſh Tax is uſually raiſed, collected and paid, any Law, Cuſtom, or Uſage to the contrary notwithſtanding. And be it further enacted by the Authority aforeſaid, That the Secretary of this Iſland do cauſe this Act to be printed, and Copies thereof tranſmitted to the *Cuſtos* or Chief Magiſtrate of each of the reſpective Pariſhes in this Iſland, in Thirty Days after the paſſing thereof, and that he ſhall be paid for the ſame; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Juſtices and Veſtries impowered to lay a Tax for paying for Convicts.

An Act to explain an Act, entituled, An Act for the ſecuring and collecting his Majeſty's Quit-rents, Fines, Forfeitures, and Amerciaments, and for regulating the Manner of Eſcheats, and for ſecuring the Poſſeſſors of Lands already forfeited and ſettled; and further Diſcovery of ſuch forfeited Lands, and encouraging the ſettling thereof.

Act 125. WHEREAS in the ſaid Act *for ſecuring and collecting his Majeſty's Quit-rents, Fines, Forfeitures, and Amerciaments, and for regulating the Manner of Eſcheats, and for ſecuring the Poſſeſſors of Lands already forfeited and ſettled, and further Diſcovery of ſuch forfeited Lands, and encouraging the Settling thereof*, it is amongſt other Things enacted, That all Owners or Proprietors of Land within this Iſland, their Gua dians, Agents, or Attornies, who for the future ſhould neglect or refuſe to account with the Receiver General for the Time being, or his Deputy, for their reſpective Quit-rents, to accrue and become due after the paſſing of that Act, within every Three Years, and pay the ſame, or if exceeding the Sum of Twenty Pounds, give Bond to pay the ſame within Six Months after, every ſuch Owner and Proprietor ſhould be chargeable and anſwerable for the ſame, with Intereſt at and after the Rate of Twelve Pounds *per Centum per Annum*, to commence from the Time of the laſt Payment; any Law, Cuſtom, or Uſage to the contrary notwithſtanding: And whereas ſeveral Perſons, who have not exactly complied with the ſaid Law, in paying their Quit-rents within Three Years after the paſſing of the ſaid Act, have been charged with, and obliged to pay to his Majeſty's Receiver General, Intereſt, at the Rate of Twelve Pounds *per Centum per Annum*, for the whole Sum due at ſuch Times as Payments have been made from the paſſing of the ſaid Law, by which Means a high Intereſt has been paid for Sums of Money long before they became due; and many Perſons have been diſcouraged from, or have avoided paying their Quit-rents, rather than ſubmit to the Hardſhips that attended ſuch an Interpretation of the Law; may it therefore pleaſe your moſt excellent Majeſty that it may be enacted; be it therefore enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted and declared by the Authority of the ſame, to be the true Intent and Meaning of the ſaid in Part recited Act, That no Intereſt ſhall be paid for any Quit-rents that have accrued, or become due from the paſſing of the ſaid Act, until the Expiration of Three Years; and that the ſaid Intereſt of Twelve Pounds *per Centum* ſhall be charged from that Time, only for the whole Sum then due, without any Retroſpect; and that for every Three Years, which have incurred ſince the paſſing of the ſaid Law, the ſaid Intereſt ſhall be charged only from the Expiration of the ſaid Three Years for ſuch Quit-rents as have accrued within the ſaid Three Years, until the ſame be paid; and that for all Quit-rents which ſhall accrue, or become due, from and after the paſſing of this Act, the ſaid Intereſt ſhall be charged and paid in the like Manner, and not otherwiſe.

Explanation of a former Act concerning Arrears of Quit-rents paying 12 *per Cent.* Intereſt.

II. And be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons, who have, or hath paid Intereſt for his, or their Quit-rents, from the paſſing of the ſaid in Part recited Act, in ſuch Manner as hath been hitherto inſiſted upon by his Majeſty's Receiver-General, ſhall be allowed a Diſcount

Allowance to be made for an Overcharge of Intereſt.

Diſcount out of their Quit-rents to become due hereafter, for all Payments made by him or them, exceeding what is expreſſed and declared by this Law; and the Receiver-General is hereby required and obliged to diſcount the ſame; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. 1740.

III. And be it further enacted by the Authority aforeſaid, That the Secretary of this Iſland do cauſe this Act to be printed, and Copies thereof tranſmitted to the Receiver-General, and to the Juſtices and Veſtry of each Pariſh in this Iſland, within Thirty Days next after the paſſing thereof; and that the Receiver-General pay him for the ſame out of any Money in the Hands of the Receiver-General unappropriated.

An Act for confirming the Articles executed by Colonel Robert Bennett *and* Quao, *the Commander of the Rebels, for paying Rewards for taking up and reſtoring runaway Slaves, and making Proviſion for four White Perſons to reſide at* Crawford's Town *and* New Nanny Town, *and for granting Freedom to two Negroes who were Guides to Colonel* Bennett.

Act 126.

Whereas upon the late Submiſſion of *Quao*, and all the Rebels then under his Command, to his Majeſty's Government, and his engaging for the Party of Rebels under his Command to accept of ſuch Terms as the ſaid *Quao* ſued for, Articles of Agreement were entered into and executed by Colonel *Robert Bennett*, who commanded a Party of Militia in the late Expedition againſt the Rebels and the ſaid *Quao*; the Tenor of which Articles is as follows:

Jamaica, ſſ.

Articles of Pacification.

Whereas his Excellency *Edward Trelawny*, Eſq; Governor and Commander in Chief of the Iſland aforeſaid, hath given Power and Authority to Colonel *Robert Bennett* to treat with the rebellious Negroes, this Day, being the Twenty-third Day of *June*, One thouſand ſeven hundred and thirty-nine, Capt. *Quao*, and ſeveral others of them under his Command, ſurrendered under the following Terms, *viz.* Firſt, That all Hoſtilities ſhall ceaſe on both Sides for ever, *Amen*; Second, That the ſaid Capt. *Quao* and his People ſhall have a certain Quantity of Land given to them, in order to raiſe Proviſions, Hogs, Fowls, Goats, or whatſoever Stock they may think proper, Sugar-Canes excepted, ſaving for their Hogs, and to have Liberty to ſell the ſame; Third, That Four White Men ſhall conſtantly live and reſide with them in their Town, in order to keep a good Correſpondence with the Inhabitants of this Iſland; Fourth, That the ſaid Capt. *Quao* and his People ſhall be ready on all Commands the Governor or the Commander in chief for the Time being ſhall ſend him, to ſuppreſs and deſtroy all other Party and Parties of rebellious Negroes, that now are or ſhall from Time to Time gather together or ſettle in any Part of this Iſland, and ſhall bring in ſuch other Negroes as ſhall from Time to Time run away from their reſpective Owners, from the Date of theſe Articles; Fifth, That the ſaid Capt. *Quao* and his People ſhall alſo be ready to aſſiſt his Excellency the Governor for the Time being, in caſe of any Invaſion, and ſhall put himſelf, with all his People that are able to bear Arms, under the Command of the General or Commander of ſuch Forces, appointed by his Excellency to defend the Iſland from the ſaid Invaſion; Sixth, That the ſaid Capt. *Quao* and all his People ſhall be in Subjection to his Excellency the Governor for the Time being, and the ſaid Capt. *Quao* ſhall once every Year, or oftener, appear before the Governor, if thereunto required; Seventh, That in caſe any of the Hunters belonging to the Inhabitants of this Iſland, and the Hunters belonging to Capt. *Quao*, ſhould meet, in order to hinder all Diſputes, Capt. *Quao* will order his People to let the Inhabitants Hunters have the Hog; Eighth, That in caſe Capt. *Quao* or his People ſhall take up any runaway Negroes that ſhall abſcond from their reſpective Owners, he or they ſhall carry them to their reſpective Maſters or Owners, and ſhall be paid for ſo doing, as the Legiſlature ſhall appoint; Ninth, That in caſe Capt.

Quao

1737. *Quao* and his People ſhould be diſturbed by a greater Number of Rebels than he is able to fight, that then he ſhall be aſſiſted by as many White People as the Governor for the Time being ſhall think proper; Tenth, That in caſe any of the Negroes belonging to Capt. *Quao* ſhall be guilty of any Crime or Crimes that may deſerve Death, he ſhall deliver him up to the next Magiſtrate, in order to be tried as other Negroes are; but ſmall Crimes he may puniſh himſelf; Eleventh, That in caſe any White Man, or other the Inhabitants of this Iſland, ſhall diſturb or annoy any of the People, Hogs, Stock, or whatſoever Goods may belong to the ſaid Capt. *Quao*, or any of his People, when they come down to the Settlements to vend the ſame, upon due Complaint made to a Magiſtrate he or they ſhall have Juſtice done them; Twelfth, That neither Capt. *Quao*, nor any of his People, ſhall bring any Hogs, Fowls, or any other kind of Stock or Proviſions to ſell to the Inhabitants, without a Ticket from under the Hand of one or more of the White Men reſiding within their Town; Thirteenth, That Capt. *Quao*, nor any of his People, ſhall hunt within Three Miles of any Settlement; Fourteenth, That in caſe Capt. *Quao* ſhould dye, that then the Command of his People ſhall deſcend to Capt. *Thomboy*, and at his Death to deſcend to Capt. *Apong*, and at his Death Capt. *Blackwall* ſhall ſucceed, and at his Death Capt. *Claſh* ſhall ſucceed; and when he dies, the Governor or Commander in chief for the Time being ſhall appoint whom he thinks proper.

In Witneſs to theſe Articles, the above named Colonel Robert Bennett *and Capt.* Quao *have ſet their Hands and Seals the Day and Year above written.*

ROBERT BENNET (L.S.)

The Mark X *of Capt.* QUAO.

That all Negroes that have gone to them, or been taken by them within Three Years, ſhall be pardoned their Offence and reſtored to their Maſters, who ſhall ſhall be obliged to uſe them well; that if hereafter any of their Negroes ſhall endeavour to entice, or ſhould entice any Negroes from any Plantation, the free Negro ſhall be puniſhed capitally; that the Negroes ſhall be formed into Companies, to be commanded in chief by a White Man each, and when ordered out upon Service, they ſhall receive Pay; that they ſhall be obliged to cut ſuch Roads as the Governor ſhall order, and that they immediately cut a Road ſo as to be rideable the neareſt Way poſſible to a Plantation.

II. And whereas notwithſtanding his Excellency the Governor hath approved of the ſaid Articles, and that they are generally eſteemed ſuch as great Advantages may be derived from; yet it may be too much in the Power of ſome ill diſpoſed or inconſiderate Perſons, who have a Right of Property in the ſaid Negroes, or ſome of them, to render ineffectual the ſaid Articles of Agreement, by diſturbing or ſeizing upon the ſaid Negroes, who in Confidence, or under the Security of the ſaid Articles, may come in their Way: To prevent therefore the Diſcontents and other ill Conſequences that may attend ſuch a Perverſeneſs or Indiſcretion, we, your Majeſty's moſt dutiful and loyal Subjects, the Aſſembly of this your Iſland of *Jamaica*, do humbly beſeech your Moſt Excellent Majeſty that it may be enacted; be it therefore enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland, and it is hereby enacted by the Authority of the ſame, That the ſaid Articles of Agreement, and every Article and Clauſe therein contained be, and they are hereby ratified and confirmed upon the Conditions and Terms in the ſaid Articles expreſſed; and that no Perſon whatſoever give any Interruption, or preſume to ſeize upon or detain the ſaid Negroes, or any of them, upon any Pretence or Claim of Property, or diſturb the ſaid Negroes in the Poſſeſſions and Privileges granted or intended to be granted to them by the ſaid Articles of Agreement, until a manifeſt Breach ſhall appear to be made, on the Part of *Quao* or his Succeſſors, of the ſaid Articles, or ſome or one of them, under the Penalty of Five hundred Pounds for every ſuch Interruption, Seizure, Detention, or Diſturbance; to be recovered in the Supreme Court of Judicature of this Iſland,

Iſland, by Action of Debt, Bill, Plaint, or Information; wherein no Eſſoin, Protection, Imparlance, or Wager of Law ſhall be granted or allowed, or *Non vult ulterius proſequi* be entered; and one Moiety whereof ſhall be to his Majeſty, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Moiety to the Informer, or him or them that ſhall inform or ſue for the ſame. 1740.

Runaway Slaves, when taken, how to be diſpoſed of.

III. AND whereas the ſaid *Quao* has engaged to ſend all Slaves, who ſhall hereafter run away and fall into his Hands, to the Chief Magiſtrate of each Pariſh where they ſhall be taken; be it enacted by the Authority aforeſaid, That all runaway Slaves to be taken by *Quao*, or any of the Negroes under his Command, ſhall be by him or them delivered to the next Magiſtrate, who is hereby directed and obliged to pay the ſaid *Quao*, or the ſaid Negroes bringing ſuch Runaways to him, the Sum of Ten Shillings, under the Penalty of Five Pounds for every Neglect or Refuſal of ſuch Magiſtrate to pay the ſame; and every ſuch Magiſtrate to whom any Negroe or Negroes ſhall be delivered by the ſaid *Quao*, or any of the Negroes under his Command as aforeſaid, ſhall be, and he is hereby obliged, under the Penalty of Five Pounds, within Ten Days after ſuch Negroe or Negroes ſhall be ſo delivered to him, to ſend ſuch Negroe or Negroes to the reſpective Owner or Owners, if the Magiſtrate ſhall know the Owner or Owners; and ſhall receive from the Owner, for each Slave ſo ſent, the Sum of Ten Shillings paid by him to *Quao*, or any of the Negroes under his Command as aforeſaid, with Poundage at and after the Rate of Two Shillings and Six Pence *per* Pound for laying out his Money, beſides Mile-money, ſuch as is ordered or directed to be paid by the Owners of Runaways, by an Act, entituled, *An Act for the better Order and Government of Slaves*; and in caſe the Owners ſhall neglect or refuſe to pay the ſaid Sum herein before directed to be paid to ſuch Magiſtrate, or his Order, and Oath be made thereof before any other Juſtice of the Peace, the ſaid Juſtice is hereby authorized and required, under the Penalty of Five Pounds, to iſſue his Warrant, and direct the ſame to any Conſtable to diſtrain on the Goods of the ſaid Owner, and the ſame, or ſo much thereof as will ſatisfy and pay the ſaid Sum herein before directed to be paid to the ſaid Magiſtrate; and in caſe the Magiſtrate to whom any runaway Slave ſhall be delivered as aforeſaid, ſhall not know, nor be informed, who the Owner of ſuch runaway Slave ſhall be, ſuch Magiſtrate ſhall ſend the ſaid runaway Slave to the next Marſhal, who is hereby required to pay to the ſaid Magiſtrate the Sum herein before directed to be paid by the Owner, in caſe ſuch runaway Slave ſhall be brought to him; and to be recovered in the ſame Manner of the ſaid Marſhal, in caſe of Neglect or Refuſal; and that it ſhall and may be lawful for the ſaid Marſhal to detain and keep in his Cuſtody the Body of ſuch runaway Slave, until the Owner ſhall reimburſe him what he ſhall have paid as aforeſaid, for ſuch runaway Slave, together with ſuch Poundage and other Charges, as are allowed to Marſhals paying for runaway Slaves, by the ſaid Act, entituled, *An Act for the better Order and Government of Slaves*.

Proviſion for the Four white People that reſide at the Negroe Towns.

IV. AND whereas it is thought neceſſary, that Four white Perſons ſhould reſide among the ſaid Negroes at *Crawford*'s Town and *New Nanny* Town, who have lately ſurrendered and ſubmitted themſelves to the Government, in order that ſuch white Perſons may receive and communicate ſuch Orders as ſhall be ſent by his Excellency the Governor to the ſaid Negroes; be it enacted by the Authority aforeſaid, That each of the ſaid four Perſons, who are, or ſhall be appointed by his Excellency the Governor, or the Commander in Chief for the Time being, for the above mentioned Service, ſhall be paid at and after the Rate of Two hundred Pounds *per annum*, for and during ſuch Time as he hath reſided, or ſhall reſide, and be upon actual Duty among the ſaid Negroes.

V. AND whereas *Mark*, a Negroe Man, belonging to *Andrew Orgill*, Eſq; and *Cæſar*, a Negroe Man, belonging to Mr. *Richard Clarke*, diſtinguiſhed themſelves, and behaved well as Guides to the Party under the Command of Colonel *Robert Bennet*, and alſo have on other publick Services behaved well; be it therefore further enacted by the Authority aforeſaid, That as an Encouragement for their Service, the ſaid Negroes, named *Mark* and *Cæſar*, be, and they are hereby abſolutely manumiſed, and for ever ſet and made free, and they are hereby accordingly ma-

1740. numiſed, and for ever ſet and made free. And be it further enacted by the Authority aforeſaid, That the Secretary of this Iſland do within Thirty Days after the paſſing of this Act, cauſe the ſame to be printed, and Copies thereof tranſmitted to the *Cuſtos* or Chief Magiſtrate of each of the reſpective Pariſhes in this Iſland; and that the Receiver General ſhall pay him for the ſame out of any Fund or Funds in his Hands unappropriated.

An Act for preventing of Frauds and Breaches of Truſt by Attornies or Agents of Perſons abſent from this Iſland, and by Truſtees, Guardians, Executors and Adminiſtrators, acting for and on the Behalf of Minors and others; and by Mortgagees in Poſſeſſion of Eſtates mortgaged; and Sequeſtrators appointed by Authority of the Court of Chancery.

Act 127. *This Act revived by Act* 184. Cl. XIV.

WHEREAS ſeveral Frauds and Breaches of Truſt may be committed by Attornies, Truſtees, Guardians, Executors, Adminiſtrators, Mortgagees in Poſſeſſion, and Sequeſtrators; therefore, for the preventing ſo great an Evil, may it pleaſe your Majeſty, that it may be enacted; and be it enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland, and by the Authority of the ſame, That all Perſons who are acting Attornies or Agents for Perſons who have Eſtates in, and are abſent from this Iſland, and that all Truſtees, Guardians, Executors or Adminiſtrators, acting for and on Behalf of Minors or others; and that all Mortgagees, their Heirs, Executors, Adminiſtrators or Aſſigns in Poſſeſſion, and that all Sequeſtrators appointed by the Authority of the Court of Chancery, or any of them, having thereby the Management, Care and Direction, and receive or diſpoſe of the Rents, Profits, Produce, and Increaſe of any real Eſtate whatſoever, *viz.* Plantations, Pens, Land, and Pens of Cattle, Sugar-works, or other Settlements, Meſſuages or Tenements, and of any Negroe or other Slaves, ſhall and do, and are hereby directed and required yearly, from the Thirty-firſt Day of *December*, in the Year of our Lord One thouſand ſeven hundred and thirty-nine, between the thirty firſt Day of *December* and the twenty fifth Day of *March*, in every Year during the Continuance of this Act, to render and exhibit in the Secretary's Office in this Iſland, to be recorded there, a true and juſt Account in Writing upon their Oath (or being of the People called *Quakers*, upon their ſolemn Affirmation) or the Oath of their Overſeer or principal Servant managing under them, upon ſuch Eſtate, Plantation or Settlement, or other real Eſtate, of which they ſhall render and exhibit ſuch Account, of all the Rents, Profits, Produce and Proceeds of ſuch Pen Lands, and Pens of Cattle, Plantations, Sugar-works, or other Settlements, Meſſuages or Tenements, Negroe, and other Slaves, or real Eſtate whatſoever, under their Care and Direction; and in ſuch Accounts particularly ſet forth the Quantity of Sugar, Rum, Moloſſes, Cotton, Ginger, Coffee, Indico and Cocoa produced and made the preceeding Year, ending the thirty firſt Day of *December*, before the rendering and exhibiting of ſuch Account of, from, or upon any ſuch Eſtates, the firſt Account to be rendered and exhibited for the Year of our Lord One thouſand ſeven hundred and forty, on or before the Twenty fifth of *March* ſeventeen hundred and forty-one.

Truſtees, &c. to make a Return in the Secretary's Office of the annual Produce of Eſtates, &c.

II. And be it enacted by and with the Authority aforeſaid, That in caſe any Perſon or Perſons hereby directed and required to render and exhibit ſuch Account or Accounts in Writing, and upon Oath into the Secretary's Office of this Iſland as aforeſaid, ſhall neglect to render and exhibit the ſame in Manner and Form, and between the Days herein before limited for that Purpoſe, yearly and every Year, ſuch Perſon or Perſons ſo neglecting, ſhall for every ſuch Neglect or Omiſſion forfeit the Sum of One hundred Pounds; one Moiety whereof to his Majeſty, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Moiety thereof to ſuch Perſon or Perſons as ſhall or will ſue for the ſame in the Supreme Court of Judicature in this Iſland; the ſame to be recovered in an Action of Debt, Plaint or Information, wherein no Eſſoin, or Wager of Law ſhall be allowed; and ſhall,

Penalty on Neglect.

over

over and above the ſaid Penalty, loſe the Benefit of his Commiſſion, for every Year he ſhall ſo neglect or omit to render and ſwear to his Account in the Manner before required. 1740.

III. AND be it further enacted by the Authority aforeſaid, That the ſaid Oath or Affirmation, herein before appointed to be taken, ſhall be adminiſtered by the Judges of the ſaid Supreme Court, or any of them, or by the Chief Judge in any of the Courts of Common Pleas, for the ſeveral Precincts of this Iſland (and by no other Magiſtrate) who are hereby directed and required to make a Memorandum of ſuch Oath or Affirmations being taken before them, upon, or under ſuch Account or Accounts in Manner following, *viz.*

Truſtees Oath.

MEMORANDUM, *This Day of One thouſand ſeven hundred and perſonally appeared before me one of the Judges*, &c. A. B. *of Attorney for* (or in whatever Capacity ſuch Perſon ſhall act) *and upon the holy Evangeliſts made Oath* (or being of the People called *Quakers, ſolemnly affirmed) that the Account above written or annexed, is a true and juſt Account of all the Rents, Profits, Produce and Proceeds of the Plantation and Premiſſes* (or whatever real Eſtate it may be) *under his Care and Direction, or which he is in Poſſeſſion of; and that in ſuch Account is particularly ſet forth the Quantity of Sugar, Rum, Moloſſes, Cotton, Ginger, Coffee, Cocoa, Piemento, or other Produce produced and made in the Year One thouſand ſeven hundred and and ending the Thirty firſt Day of* December *laſt paſt, of, from, or upon the ſaid*

And to ſign and ſubſcribe the ſame; and the Perſon or Perſons taking ſuch Oath or ſolemn Affirmation, are hereby required to ſubſcribe their Names to ſuch Memorandum; and if any Perſon or Perſons ſhall, in a wilful and corrupt Manner, falſely take ſuch Oath or ſolemn Affirmation, ſuch Perſon or Perſons ſhall ſuffer ſuch Puniſhment as is in the Caſe of wilful and corrupt Perjury.

IV. AND be it further enacted by the Authority aforeſaid, That the Secretary for this Iſland for the Time being, or ſuch Perſon or Perſons as ſhall execute the Office of the ſame, do enter and enrol all ſuch Accounts and Memorandums as are herein before directed to be made, rendered and exhibited into his Office; and that for the recording every ſuch Account, with the Memorandum, he is hereby intitled to receive and take, according to the Rates now allowed for recording Deeds, Patents, and other Papers, and no more.

Secretary to enrol the Accounts.

V. AND be it further enacted, That this preſent Act ſhall continue in Force for Three Years from the paſſing thereof, and from thence to the End of the then next Seſſion of Aſſembly, and no longer; and that the Secretary of this Iſland cauſe Copies of the ſame to be printed, and ſent to the *Cuſtos* or Chief Magiſtrate in each Pariſh, to be read quarterly in the Veſtry, and at each Quarter-Seſſions, the Expences whereof to be paid him out of the Money unappropriated in the Hands of the Receiver General of this Iſland.

An Act for rendering the ſeveral Donations, which have been given and bequeathed to the Uſe of the Poor of the Pariſh of Vere *in the ſaid Iſland, more uſeful; and for erecting and endowing a Free-ſchool in the ſaid Pariſh.*

ACT 128.

WHEREAS ſeveral Perſons have, by their Laſt Wills and Teſtaments in Writing, made ſeveral charitable Donations, conſiſting in Lands, Slaves and Money, to the Uſe of the Poor of the ſaid Pariſh of *Vere*, generally, without giving any particular Directions, or making any particular Appointments touching the Diſpoſition or Management of the Surpluſage which might ariſe, and actually have ariſen from the ſame, over and above the Maintenance of the Poor of the ſaid Pariſh, who are otherwiſe effectually provided for by an Act of this Iſland; and whereas ſuch Surpluſage, together with the aforeſaid Charities, may be rendered more uſeful and beneficial to the Publick, by appropriating and applying them to the eſtabliſhing and endowing a Free-ſchool in the ſaid Pariſh, which may induce and excite other well-diſpoſed Perſons to make further Donations for the

1740. the Advancement of ſo good and charitable an Undertaking: May it pleaſe your moſt Excellent Majeſty, That it may be enacted; be it therefore enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*; and it is hereby enacted and ordained by the Authority of the ſame, That Five of the ſenior Magiſtrates of the ſaid Pariſh, actually reſiding therein for the Time being, the Rector of the ſaid Pariſh for the Time being, and Five of the Freeholders of the ſaid Pariſh; ſuch as the Freeholders of the ſaid Pariſh ſhall annually, on the first Day of *July*, elect; are hereby appointed Truſtees for the Direction and Management of a Free-ſchool in the ſaid Pariſh, and of the ſaid ſeveral Gifts, Deviſes, Donations and Bequeſts afore-mentioned, and of all ſuch further and other Gifts, Deviſes and Bequeſts that ſhall hereafter be given to, and for the Uſe of the ſaid Free-ſchool; Five of which ſaid Truſtees ſhall be a *Quorum* to do Buſineſs.

Truſtees appointed.

II. Provided always, Three of the ſenior Magiſtrates reſiding in the ſaid Pariſh ſhall be of that Number; and be it enacted by the Authority aforeſaid, That the ſaid Truſtees, and they who ſhall ſucceed them, ſhall be Truſtees of the ſaid Free-ſchool, and of all Lands, Meſſuages, Tenements and Hereditaments, which ſhall or may be given by any Perſon or Perſons whatſoever, or purchaſed by the ſaid Truſtees or their Succeſſors, for the Uſe and Benefit of the ſaid Free-ſchool, at all Times hereafter for ever; and that the ſaid Truſtees ſhall for ever ſtand, and be incorporated in Name and in Deed a Body politick and corporate, by the Name of the Truſtees of the Free-ſchool of the Pariſh of *Vere*, and by that Name they, and their Succeſſors, ſhall, and may for ever hereafter, have, hold, and enjoy the ſaid Free-ſchool, and all Meſſuages, Lands, Tenements and Hereditaments, and Goods and Chattels in and by this preſent Act appropriated for the erecting, eſtabliſhing and endowing the ſaid Free-ſchool, and all Meſſuages, Lands, Tenements and Hereditaments, and all Gifts, Donations, Benefactions and Deviſes, which at any Time hereafter ſhall be given or purchaſed for the Uſe and Benefit of the School.

III. And be it enacted by the Authority aforeſaid, That the ſaid Truſtees and their Succeſſors, or the major Part of them, by the ſame Name, ſhall and may have Power and Ability to place out at Intereſt, on good and ſufficient Security, any Donations or Sums of Money, and to demiſe, ſet and leaſe ſuch Meſſuages, Lands, Tenements and Hereditaments, as ſhall or may be given or purchaſed as aforeſaid; and to take, acquire and purchaſe, to ſue and be ſued, and to do, perform and execute, all and every lawful Act and Thing, good, neceſſary and profitable for the ſaid Corporation, in as full and as ample Manner and Form, to all Intents, Conſtructions and Purpoſes, as any other Corporation or Body politick and corporate, fully and perfectly incorporated, may or ought to do; and that they the ſaid Truſtees, and their Succeſſors, may have and uſe a common Seal, for the making, granting and demiſing of their Lands, Tenements and Hereditaments, and for the doing of all and every other Acts and Things touching, or in any ways concerning or appertaining to the ſaid Corporation, or Body politick, in which Seal ſhall be engraved a Boy with a Book in his Hand on one Side; and another with a Mallet and Chiſſel, making a Cotton Gin, both in a Circle; round which are to be engraven the *Latin* Words, *Eruditione et Labore*; and that the ſaid Seal ſhall be depoſited and kept in the Hands of the Chief Magiſtrate reſiding in the ſaid Pariſh of *Vere*.

Truſtees impowered to lend Money at Intereſt, and to lett Lands, &c.

IV. And be it enacted by the Authority aforeſaid, That all the Lands, Meſſuages, Negroes, Tenements and Hereditaments, and all Rents, Sum and Sums of Money charged upon, and iſſuing or payable out of any Meſſuages, Lands, Negroes, Tenements and Hereditaments, and all Sum and Sums of Money given and bequeathed to the Uſe of the Poor of the ſaid Pariſh of *Vere* as aforeſaid, ſhall be, and are hereby veſted in the ſaid Truſtees, and their Succeſſors, to and for the Uſes and Purpoſes herein mentioned, declared, and enacted, concerning the ſame; and that the ſeveral Heirs, Executors, and other legal Repreſentatives of the ſeveral Donors and Deviſors of the ſaid ſeveral charitable Donations and Deviſes aforeſaid, and all other Perſons whatſoever that have intermeddled with, or received any Sum or Sums of Money upon Account of any of the ſaid Charities, ſhall, within ſix Months, render an Account of what has been received by them, or

Donations veſted in the Truſtees.

or any of them reſpectively, to the ſaid Truſtees of the ſaid Free-ſchool, or the major Part of them, and to pay over the Balance that ſhall appear to be due upon Account, and upon their, or any of their ſtating and adjuſting the ſaid Accounts, and paying the Balance due thereon, the ſaid Truſtees, or the major Part of them, ſhall be, and are hereby impowered to execute a general Releaſe and Releaſes, or other Acquittance, to ſuch Perſon or Perſons ſo accounting and paying ſuch Balance as ſhall be found due as aforeſaid, which ſaid Releaſe or Acquittance ſhall be a full Diſcharge and Indemnification to them, and every of them; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. 1740. Donations veſted in the Truſtees.

V. And be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Truſtees, and their Succeſſors, to erect, build, and repair a proper Houſe, with Out-houſes, on ſome Part of the Lands in the ſaid Pariſh, ſo bequeathed as aforeſaid, and to endow the ſame in Proportion to their Revenues; and till the ſaid Houſe can be conveniently built, to hire ſuch a one as they ſhall think fit for the Abiding, Dwelling, and neceſſary Uſe, of one or more Maſters and Uſhers, for the inſtructing the poor Children of the ſaid Pariſh, without Charge, in Reading, Writing, Arithmetick, *Latin*, *Greek*, or the Mathematicks, or any other Sort of Learning the ſaid Truſtees ſhall think fit and proper; and that they, the ſaid Truſtees and their Succeſſors, or the major Part of them, ſhall have full Power and Authority to nominate and appoint ſuch Perſon or Perſons as they ſhall think proper and qualified to be Maſter and Uſher, or Maſters and Uſhers of the ſaid Free School. School-houſe to be built.

VI. Provided they be of the Religion of the Church of *England*, as by Law eſtabliſhed, and are well affected to the Proteſtant Succeſſion, and upon any Miſbehaviour or Diſability, to remove the ſaid Maſters or Uſhers, or any of them; and when any of them, by Deprivation, Reſignation, or Death, ſhall become void, the ſaid Truſtees and their Succeſſors, or the major Part of them, ſhall and may, within Three Months after ſuch Voidance, by Writing, under their Common Seal, appoint one or more qualified, as aforeſaid, in the Places of them, and every of them, ſo deprived, reſigning, deceaſing, or becoming void. Maſters and Uſhers to be Proteſtants.

VII. And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees or their Succeſſors, or the major Part of them, ſhall and may receive into the ſaid Free School as many poor Children as they ſhall think proper, in Proportion to the Revenues of the ſaid School; and upon any Miſbehaviour or Inability in the ſaid Children, or upon their attaining their Age of Twelve or Fourteen Years, bind them, or any of them, out Apprentices to Artiſts, Tradeſmen, or Planters; or to remove or diſcharge them, or any of them, and take and receive others into the ſaid Free School in their Place and Stead; and that the ſaid Truſtees and their Succeſſors, or the major Part of them, ſhall and may from Time to Time expend ſuch Sum and Sums of Money, in Proportion to the Revenues of the ſaid School, in and about maintaining, repairing, or enlarging the ſaid School and Buildings thereunto belonging, as they ſhall from Time to Time find convenient, requiſite, and neceſſary.

VIII. And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees and their Succeſſors, or the major Part of them, ſhall and may have full Power and Authority, under the ſaid Common Seal, to make, ordain, and preſcribe ſuch Rules and Ordinances for the good Order and Government of the ſaid Free School, and of the ſaid Maſters, Uſhers, and Children, and for ſettling their and every of their Stipends and Allowances, as to them ſhall ſeem meet, convenient, and neceſſary; and the ſaid Rules and Ordinances by them, or the major Part of them ſo made, ordained, and preſcribed, as aforeſaid, ſhall ſtand and be in full Force and Strength in Law, the ſame not being repugnant or contrary to his Majeſty's Prerogative, nor the Laws and Statutes of *England* and this Iſland; and that the ſaid Truſtees and their Succeſſors, or the major Part of them, ſhall and may have full Power and Authority to viſit the ſaid School, and to order, reform, and redreſs all Diſorders and Abuſes, in and touching the Government and Management of the ſame, in ſuch Manner, and at ſuch Times, as to them ſhall ſeem meet. Truſtees to preſcribe Rules.

1740. IX. And be it enacted by the Authority aforeſaid, That it ſhall not be lawful for any of the Truſtees or their Succeſſors, to keep in his or their Hands above Thirty Days, or to apply to his or their own Uſe and Benefit, or to take or borrow on Intereſt any Sum or Sums of Money given to or for the Uſe of the ſaid Free School, or that ſhall ariſe or become due for Intereſt or Rent; nor ſhall they, or any of them, for their own Uſe or Benefit, buy, ſell, rent, or leaſe any of the Meſſuages, Lands, or Tenements, which may be purchaſed, ſettled, or given for the Uſe aforeſaid.

Not to borrow the Donation Money.

X. And be it enacted by the Authority aforeſaid, That any Perſon or Perſons offending or acting contrary to the true Intent and Meaning of this Act, ſhall forfeit the Sum of Five hundred Pounds; one Third thereof to his Majeſty, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland; one Third to and for the Uſe of the ſaid Free School; and the other Third to the Informer, or him or them who ſhall ſue or proſecute for the ſame; to be recovered by Action of Debt, Bill, Plaint, or Information, in any of the Courts of Record in this Iſland; wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed, or *Non vult ulterius proſequi* be entered; any Law, Cuſtom, Statute, or Uſage to the contrary in any wiſe notwithſtanding.

An Act to veſt certain Lands in the Pariſh of St. Andrew *in his Majeſty, his Heirs and Succeſſors, for erecting and building an Hoſpital, and other Neceſſaries and Conveniences for the Reception and Accommodation of maimed, ſick, and infirm Sailors, and others belonging, or that ſhall belong to his Majeſty's Navy.*

Act 129. WHEREAS it hath been found by long Experience, from the commodious Situation of this Iſland, and the natural Advantages of the Ports and Harbours thereof, and its Produce and Commodities, that great Benefit and Advantages have accrued to the Trade and Manufacture of *Great Britain*, the Preſervation of which, as well as of the Iſland itſelf, ſituate amongſt potent and formidable Neighbours, depends under God in great meaſure upon the Ships of War and naval Force ſent hither from Time to Time for its Preſervation and Defence; and whereas his Majeſty has been graciouſly pleaſed, for the Encouragement as well as Preſervation of the Sailors and others employed in that Service, to order *Edward Vernon*, Eſq; Vice Admiral of the Blue, and Commander in Chief of his Majeſty's Ships now upon this Station, to purchaſe Lands and erect proper and convenient Buildings thereon, for the Reception and Entertainment of maimed, ſick, and infirm Sailors: And whereas a certain Piece or Parcel of Land in the Pariſh of St. *Andrew*, commonly known or called by the Name of *Axtell*'s *Penn*, from the Commodiouſneſs of its Situation, adjoining to the Harbour of *Port Royal*, is judged to be the moſt convenient Place for that Service; but foraſmuch as *Andrew Orgill*, Eſq; and *Thomas Orgill*, a Minor, claim a Right thereunto, and *Mary* the late Wife of the ſaid *Axtell*, may claim Dower therein, and *Francis Peſchair* and *Iſaac Furtado*, or others, as Attorneys or Repreſentatives of *Peter Bonfills*, a Subject of the *French* King, by virtue of or under Colour of ſome Sequeſtration iſſued againſt the ſaid *Axtell*, obtained for the Non-performance of a Decree for a perſonal Duty, likewiſe pretend a Right to the ſame: And whereas the ſaid Claimants, or the greateſt Part of them, are willing, and have offered to reſign their Intereſt ſeverally on a reaſonable Conſideration; but by reaſon of the ſaid ſeveral Pretenſions and Claims, the Abſence of the ſaid *Bonfills* from this Iſland, and the Uncertainty of his being alive, or the Want of proper Powers from him, and the Non-age of the ſaid *Thomas Orgill*, no ſufficient Title can at preſent be made to his Majeſty, without the Interpoſition of the Legiſlature, whereby his Majeſty's moſt gracious Intentions, and ſo good and charitable a Work, are obſtructed: For Remedy whereof, and to the Intent that all due Encouragement and Expedition may be given unto ſo neceſſary a Work, and that all Impe-

Greenwich Hoſpital.

Land commodious for it

1740.

Impediments and Obſtructions may be removed, and reaſonable Satisfaction may be given and ſecured to the Owners of all the ſaid Lands; we, your Majeſty's moſt dutiful and loyal Subjects, the Governor, Council, and Aſſembly of this your Majeſty's Iſland, humbly beſeech your Moſt Excellent Majeſty that it may be enacted; and be it enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland, and it is hereby enacted by the Authority of the ſame, That in caſe the ſaid *Andrew Orgill*, and *Thomas Orgill* by his Guardian, the ſaid *Andrew Orgill*, and the ſaid *Mary Axtell* and *Francis Peſchair*, and *Iſaac Furtado*, or any others concerned in behalf of the ſaid *Peter Bonfills*, ſhall and will agree with the ſaid Vice-Admiral *Vernon* for the Sale and Value of the ſaid Lands; that then and in ſuch Caſe, the Money ſo agreed upon for the Purchaſe of the ſaid Lands ſhall be lodged and depoſited in the Hands of the Receiver-General for the Time being, to be applied by him to the Uſes of the Government, until ſuch Time as the Right of the ſaid ſeveral Claimants to the ſaid Lands ſhall be determined, either at Law or in Equity; and in caſe the ſaid *Andrew Orgill*, *Thomas Orgill*, *Mary Axtell*, *Francis Peſchair*, and *Iſaac Furtado*, or others concerned in behalf the ſaid *Peter Bonfills*, ſhall decline or refuſe to agree for the Sale and Purchaſe of the ſaid Lands, as aforeſaid, then, and in ſuch Caſe, it ſhall and may be lawful for the Governor and Commander in Chief for the Time being, and his Excellency the Governor, Commander for the Time being, is hereby authorized, impowered, and required, under the Broad Seal of this Iſland, to iſſue forth a Warrant or Warrants to the Provoſt-marſhal-general, on or before the firſt Day of *January* next, to impannel and return at ſuch Time and Place as ſhall be therein inſerted, a ſufficient Jury, who upon their Oaths (which the ſaid Provoſt-marſhal is hereby impowered and authorized to adminiſter) ſhall enquire into the true Value of the ſaid Lands and Premiſſes, and give their Verdict or Inquiſition thereof to the ſaid Provoſt-marſhal, who is hereby required to return and certify the ſame under his and their Hands, into his Majeſty's Court of Chancery of this Iſland, on or before the firſt Day of *February* next, there to be recorded under the Penalty of One hundred Pounds, which ſaid Valuation ſo returned ſhall be final and concluſive, to and againſt all Perſons whatſoever.

To be purchaſed of the Poſſeſſors,

II. AND be it further enacted by the Authority aforeſaid, That the ſaid Valuation upon Oath ſhall be laid before the ſaid Vice-Admiral *Vernon*, in order that the Money may be depoſited and lodged in the Hands of the Receiver-General for the Time being; to be applied by him to the Uſes of the Government, until ſuch Time as the Right of the ſaid Claimants ſhall be determined in Manner aforeſaid; and immediately upon lodging the Purchaſe-money agreed for as aforeſaid, or in caſe of Non-agreement, the ſaid Valuation-money aforeſaid, in the Receiver-General's Hands, then and from thenceforth the ſaid Lands and Premiſſes ſhall for ever afterwards be, and are hereby declared to be abſolutely veſted and adjudged to be in Poſſeſſion of his Majeſty, his Heirs and Succeſſors, in as full, large, ample, and beneficial Manner as *Daniel Axtell*, or any other Perſon or Perſons held poſſeſſed, or enjoyed the ſame, or might or could have held, poſſeſſed and enjoyed the ſame; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

and veſted in his Majeſty.

III. AND to the End and Intent that the Perſon or Perſons in whom the Right and Title of the ſaid Lands and Premiſſes ſhall be adjudged, may receive Compenſation for the Detention of the ſaid Purchaſe-money, until the Right ſhall be determined, as aforeſaid; be it enacted by the Authority aforeſaid, That the Receiver-General for the Time being, ſhall, upon the Determination of ſuch Right, pay the ſaid Valuation or Purchaſe-money out of any Fund or Funds in his Hands unappropriated, which this or any future Aſſembly ſhall make good.

IV. AND to the Intent the Claimants may have a reaſonable Satisfaction from the Sale of ſuch Lands, until their Right be determined; be it further enacted by the Authority aforeſaid, That the Receiver-General for the Time being ſhall annually account with, and pay into the Hands of the Sequeſtrator for the Time being, lawful Intereſt for the Purchaſe-money depoſited in his Hands, which ſaid Intereſt-money ſhall be applied by the Sequeſtrator in the ſame Manner as the Profits of the ſaid Land now are, or lately have been applied, purſuant and ſubject to any Orders or Decrees of the Court of Chancery; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

1741. *An Act to veſt certain Lands on* Port Royal *in his Majeſty, his Heirs and Succeſſors, for the enlarging and making more commodious the Carreening-Wharf and Yard, already erected there, for the Uſe of his Majeſty's Ships of War.*

Act 130.

Great Benefit of the Carreening-Wharf, &c. at *Port Royal.*

WHEREAS it hath been found by Experience, that the Carreening-Wharf, and Conveniencies already built and erected at *Port Royal*, have been of great Importance, Uſe, and Benefit to his Majeſty's Ships of War and others, and more eſpecially ſince the preſent Rupture with *Spain*; and whereas it hath been repreſented, that the ſaid Wharf and Yard require a further Addition and Enlargement, in order to render the ſame proper and accommodated to the neceſſary Uſes of carreening and fitting ſuch a Number of Ships as his Majeſty may have Occaſion to ſend upon theſe Seas; and whereas it is highly requiſite, that all proper Conveniencies and Accommodations ſhould be prepared for the repairing and refitting his Majeſty's Ships, which the Situation and Nature of the Place will admit of, in order to render them more uſeful and ſerviceable, and the readier to anſwer effectually the important Ends for which they may be ſent; and whereas ſuch Addition and Enlargement of the ſaid Wharf and Yard cannot be effected without veſting the Lands adjacent, convenient, and proper for it, in his Majeſty, his Heirs and Succeſſors, Part of which may be the Eſtates of Infants, Feme-Coverts, and other Perſons, who by Law are diſabled from making Contracts and Conveyances, and other Parts may belong to Perſons who may be unwilling to part with their Lands, or diſpoſe of them upon reaſonable Terms; in which Caſes the Interpoſition of the Legiſlature becomes neceſſary, and has always been reſorted to: To the Intent therefore to promote and advance ſo neceſſary a Service, and that all Obſtructions and Impediments may be removed, and that reaſonable Satisfaction may be given for all the Lands in the Plat hereunto annexed *, which are thought neceſſary and convenient to be taken up for that Service; may it pleaſe your Moſt Excellent Majeſty that it may be enacted; be it therefore enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*; and it is hereby enacted and ordained by the Authority of the ſame, That it ſhall and may be lawful for his Excellency the Governor, or the Governor or Commander in Chief for the Time being, and his Excellency the Governor and Commander in Chief for the Time being is hereby authorized, impowered, and required, under the Broad Seal of this Iſland, to iſſue forth a Warrant or Warrants to the Provoſt-marſhal-general of this Iſland, on or before the Twentieth Day of *May* next, impowering and requiring him to impannel and return, at ſuch Time and Place as ſhall be therein inſerted, a ſufficient Jury, who upon their Oaths (which Oaths the Provoſt-marſhal, or his lawful Deputy, is hereby impowered and authorized to adminiſter) ſhall enquire into the true Value of each Parcel of the Lands and Buildings, herein after mentioned, in the ſaid Plat repreſented, and give their Verdict and Inquiſition thereof to the ſaid Provoſt-marſhal, who is hereby required and impowered to return and certify the ſame under his and their Hands, into his Majeſty's High Court of Chancery of this Iſland, on or before the Thirtieth Day of *May* next, there to be recorded under the Penalty of One hundred Pounds; which ſaid Valuation ſo made and returned, ſhall be final and concluſive, to and againſt all Perſons whatſoever.

* *To be ſeen in the Secretary's Office.*

Lands purchaſed to enlarge the Yard, &c.

II. And be it further enacted by the Authority aforeſaid, That the Receiver-General for the Time being do, out of any Money to ariſe by virtue of any Law paſſed, or that ſhall paſs this Seſſions of Aſſembly, pay unto each of the Proprietors of the ſaid Lands, for their Eſtates and Intereſts therein, the ſaid Valuation, or Money ſo aſſeſſed, upon Oath, as aforeſaid; and upon Payment and Satisfaction made, as aforeſaid, the ſaid Lotts or Parcels of Land, with the Buildings thereon erected, of *Grace Durrant* and *Suſannah Hevelin*, Colonel *John Barton*, *William Morris*, Eſq; and his Wife *Judith*, and *Moſes Gutteres* and *John Dodd*; as

as alſo one other Lot or Parcel of Land comprized within the Figures 1, 2, 3, 4, and 5, belonging to Perſons unknown; (all which Parcels of Land are deſcribed in the Platt hereunto annexed *) ſhall from thenceforth be, and they are hereby veſted in his Majeſty, his Heirs and Succeſſors, to the Uſes and Purpoſes aforeſaid; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. 1741.

* *To be ſeen at the Secretary's Office.*

III. AND whereas *William Morris*, Eſq; is ſeiſed of one of the ſaid Lots, or Parcels of the ſaid Land in Right of his Wife; and ſome other Lots or Parcels of the ſaid Land belong to Infants under the Age of One and Twenty Years; be it enacted by the Authority aforeſaid, That the ſaid *William Morris* ſhall, before he receive from the Receiver-General any Money in Satisfaction for the ſaid Lot or Parcel of Land, ſettle upon, or ſecure to his ſaid Wife other Lands, to the Value of the ſaid Lot or Parcel of Land to be veſted in the ſaid *William Morris* and his Wife, in ſuch Manner as the ſaid Lot or Parcel of Land now is, and which ſhall deſcend in the like Manner as the ſaid Lot or Parcel of Land would or might have done before the paſſing of this Act; and that the Value of all ſuch Lots or Parcels of the ſaid Lands as belong to Infants under the Age of One and Twenty Years, ſhall be paid by *Murray Crimble*, Eſq; or the Receiver-General for the Time being, to the Guardians of the ſaid Infants reſpectively, and ſhall be by them laid out in other Lands for the Uſe and Benefit of the ſaid Infants; which Lands ſhall be veſted in the ſaid Infants reſpectively, as the ſaid Lots or Parcels of Land now are; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

An Act to impower Commiſſioners to take Affidavits in the ſeveral Pariſhes, to be made Uſe of in the Grand Court.

ACT 131.

FOR the greater Eaſe and Benefit of all Perſons whatſoever, in the taking Affidavits to be made Uſe of, and read in his Majeſty's Supreme Court of Judicature in this Iſland, as well in Matters and Things relating to his Majeſty and his Revenue, as in all other Matters and Cauſes whatſoever, depending, or to be depending in the ſaid Court, or any wiſe concerning the Proceedings of, or in the ſame; may it pleaſe your moſt excellent Majeſty that it may be enacted, and be it therefore enacted by the Governor, Council, and Aſſembly of this your Iſland, and by the Authority of the ſame, That the Chief Juſtice, and other the Juſtices of the Supreme Court of Judicature in this Iſland for the Time being, or any Two of them, whereof the Chief Juſtice for the Time being to be one, ſhall and may, by one or more Commiſſion or Commiſſions, under the Seal of the ſaid Court, from Time to Time as Need ſhall require, impower what and as many Perſons as they ſhall think fit and neceſſary, in all and every the ſeveral Pariſhes and Diſtricts within this Iſland, to take and receive all and every ſuch Affidavit and Affidavits, as any Perſon or Perſons ſhall be willing and deſirous to make before any of the Perſons ſo impowered in, or concerning any Cauſe, Matter or Thing depending, or hereafter to be depending, or any wiſe concerning any of the Proceedings to be in the ſaid Court, as the Judges of the Supreme Court uſed to do; which ſaid Affidavits, taken as aforeſaid, ſhall be filed in the Office of the ſaid Court, and then be read and made Uſe of in the ſaid Court, to all Intents and Purpoſes as other Affidavits taken in the ſaid Court now are; and that all and every Affidavit and Affidavits taken as aforeſaid, ſhall be of the ſame Force as Affidavits taken in the ſaid Court now are; and all and every Perſon and Perſons forſwearing him, her, or themſelves, in ſuch Affidavit or Affidavits, ſhall incur and be liable unto the ſame Penalties, as if ſuch Affidavit or Affidavits had been made and taken in open Court.

Chief Juſtice, &c. may appoint the Comiſſioners.

II. PROVIDED, That for the taking of every ſuch Affidavit, the Perſon or Perſons ſo impowered and taking the ſame, ſhall for ſo doing receive the Sum or Fee of One Shilling and Three Pence, and no more.

1741. *An Act for recovering and extending the Trade with the* Indian *Settlements in* America, *and preventing for the future ſome evil Practices formerly committed in that Trade.*

Act 132. WHEREAS great Advantages might be derived to his Majeſty's Subjects in general, and more particularly to the Inhabitants of this Iſland, if a good Correſpondence and open Commerce were eſtabliſhed between them and the *Indians* upon the Continent in *America*; and whereas the evil Practices of ſeveral Traders of this Iſland, who have frequently taken *Indians* from their Settlements clandeſtinely, and ſold them in this Iſland for Slaves, have occaſioned ſome of the *Indian* Settlements in *America*, with whom his Majeſty's Subjects held a friendly Intercourſe, and carried on a beneficial Trade, particularly thoſe of *Darien* and *Samblas*, to withdraw their Friendſhip from his Majeſty's Subjects, and to enter into an Alliance and Friendſhip with the *Spaniards*, and have not only diſcouraged thoſe Settlements from continuing, but many others of the *Indians* (it may be preſumed) from engaging in any Commerce with us; in order therefore to prevent for the future ſuch unfair, barbarous, and pernicious Practices, and to remove the ill Effects of thoſe already committed, we, your Majeſty's moſt dutiful and loyal Subjects, the Aſſembly of this your Iſland of *Jamaica*, moſt humbly beſeech your Majeſty that it may be enacted; be it therefore enacted and ordained by the Authority of the Governor, Council, and Aſſembly of this your Majeſty's Iſland, and it is hereby enacted by the Authority of the ſame,

Indians imported for Sale, ſet free.

That all *Indians* who ſhall arrive, or be imported for Sale into this Iſland, from and after the Firſt Day of *June*, in the Year of our Lord One thouſand ſeven hundred and forty-one, ſhall be free to all Intents and Purpoſes, as any other Aliens or Foreigners are; and that all Sales made in this Iſland to any Perſon or Perſons reſiding or that ſhall reſide or belong to this Iſland, of any *Indian* or *Indians*, from and after the ſaid Firſt Day of *June*, in the ſaid Year One thouſand ſeven hundred and forty-one, ſhall be abſolutely null and void; and that if any Perſon or Perſons ſhall, from and after the ſaid Firſt Day of *June*, One thouſand ſeven hundred and forty-one, ſell or buy any *Indian* or *Indians* ſo imported, every ſuch Perſon or Perſons ſhall forfeit for every ſuch Offence the Sum of Fifty Pounds, to be recovered in the Supreme Court of Judicature of this Iſland, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoin, Protection, Wager of Law, or Injunction ſhall be granted or allowed, or *Non vult ulterius proſequi* be entered; and one Moiety whereof ſhall be to the Informer, or him or them who ſhall ſue for the ſame, and the other Moiety to the Uſe of his Majeſty, his Heirs, and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof.

50 *l.* Penalty for buying *Indians.*

II. And be it further enacted by the Authority aforeſaid, That all Owners of *Indian* Slaves in this Iſland, their Agents or Attornies, ſhall on or before the Eight and twentieth Day of *December*, in the ſaid Year of our Lord One thouſand ſeven hundred and forty-one, give in the Names and Sexes of all *Indians* which belong to them reſpectively, to the Secretary of this Iſland, to be regiſtered in his Office, or to the Clerk of the Veſtry, in the Pariſhes where they reſpectively reſide, to be there entered in the Veſtry-Books of the ſaid Pariſhes; and that all and every *Indian* and *Indians*, whoſe Name or Names, and Sex or Sexes, ſhall not be given in as aforeſaid, ſhall be free to all Intents and Purpoſes.

III. Provided always, That it is the true Intent and Meaning of this Act, that all and every Perſon or Perſons, who is, or are already ſeiſed of any *Indian* Slave or Slaves, ſhall have Power to ſell and otherwiſe diſpoſe of all and every ſuch *Indian* or *Indians*, in as full and ample Manner as he or they might have done before the making of this Act.

IV. And be it enacted by the Authority aforeſaid, That the Secretary of this Iſland do, within Thirty Days after the paſſing of this Act, cauſe the ſame to be printed, and Copies thereof tranſmitted to the *Cuſtos*, or Chief Magiſtrate of each of the Pariſhes in this Iſland; and a further Number, not exceeding Two hundred,

dred, of the like printed Copies, to be depoſited in the Hands of the Receiver-General, to be by him delivered to all Maſters of Veſſels trading to any Part of the *Spaniſh* Coaſt; the Charges whereof ſhall be paid by the ſaid Receiver-General, out of any Money in his Hands, any Cuſtom or Uſage to the contrary notwithſtanding. 1741.

An Act to encourage Colonel Cudjo *and Captain* Quaw, *and the ſeveral Negroes under their Command in* Trelawny *and* Crawford *Towns, and all other Towns of rebellious Negroes, who ſubmitted to Terms, to purſue and take up runaway Slaves, and ſuch Negroes as continue in Rebellion; and for remedying ſome Inconveniencies in the Laws already made for that Purpoſe.*

Act 133.

WHEREAS, by an Act entituled, *An Act for building and completing Barracks or Fortreſſes, and cutting Roads; and appointing Commiſſioners for the better effecting the ſame*, a Reward of Ten Pounds is there given to voluntary Parties for every rebellious Negroe they ſhall kill, or take alive: And whereas by two other Acts, the one, entituled, *An Act for confirming the Articles executed by Colonel* John Guthrie, *Lieutenant* Sadler, *and* Cudjo *the Commander of the Rebels, for paying Rewards for taking up and reſtoring runaway Slaves, and making Proviſion for four White Perſons reſiding, or to reſide at* Trelawney *Town, and for granting Freedom to five Negroes who were Guides to Parties*; and the other, entituled, *An Act for confirming the Articles executed by Colonel* Robert Bennett *and* Quaw *the Commander of the Rebels, for paying Rewards for taking up and reſtoring runaway Slaves, and making Proviſion for four White Perſons to reſide at* Crawford *Town and* New Nanny *Town, and for granting Freedom to two Negroes who were Guides to Colonel* Bennet; a Reward of Ten Shillings is there given to the ſaid *Cudjo* or *Quaw*, or to any Negroe under their Command, for every runaway Negroe that ſhall be taken up and brought in by either of them: And as it is juſtly to be apprehended, that from the different Encouragements given by the ſaid Laws, *Cudjo* and *Quaw*, and the ſeveral Negroes under their Command in *Trelawney* and *Crawford* Towns, and other of the rebellious Towns who ſubmitted to Terms, may be induced to kill all ſtraggling and runaway Negroes that may fall in their Way, with Intention to receive the greater Reward of Ten Pounds for them as rebellious, rather than to bring them in alive, and receive the leſſer Reward of Ten Shillings for them as Stragglers or Runaways, which will occaſion an Effuſion of Blood: For remedying whereof, may it pleaſe your Majeſty that it may be enacted, and be it enacted by your Majeſty's Governor, Council, and Aſſembly of this Iſland, and it is hereby enacted by the Authority of the ſame, That from and after the paſſing of this Law, all runaway Slaves that ſhall be taken up by the ſaid *Cudjo* or *Quaw*, or any of the Negroes under their Command in *Trelawney* or *Crawford* Towns, or any other of the rebellious Towns, who have ſubmitted to Terms, ſhall be by him or them delivered to the next Magiſtrate, who is hereby directed and obliged to pay the ſaid *Cudjo* or *Quaw*, or the ſaid Negroes bringing ſuch Runaways to him, the Sum of Three Pounds, and no more; under the Penalty of Five Pounds for every Neglect or Refuſal of ſuch Magiſtrate to pay the ſame: And every ſuch Magiſtrate, to whom any Negroe or Negroes ſhall be delivered by the ſaid *Cudjo* or *Quaw*, or any of the Negroes under their Command, as aforeſaid, ſhall be, and he is hereby obliged, under the Penalty of Five Pounds, within Ten Days after ſuch Negroe or Negroes ſhall be ſo delivered to him, to ſend ſuch Negroe or Negroes to the reſpective Owner or Owners, if the Magiſtrate ſhall know him or them, and ſhall receive from ſuch Owner or Owners, for each Slave ſo ſent, the Sum of Three Pounds ſo paid by him to *Cudjo* or *Quaw*, or any of the Negroes under their Command, as aforeſaid; with Poundage, at and after the Rate of Two Shillings and Six-Pence *per* Pound, for laying out his Money, beſides Mile-Money, ſuch

3 *l.* and no more, to be paid the Wild Negroes for bringing in Runaways.

as

1741. as is ordered or directed to be paid by the Owners of Runaways, by an Act entituled, *An Act for the better Order and Government of Slaves*; and in case the Owner shall neglect or refuse to pay the said Sum, herein before directed to be paid, to such Magistrate or his Order, and Oath made thereof before any other Justice of the Peace, the said Justice is hereby authorized and required, under the Penalty of Five Pounds, to issue his Warrant, and direct the same to any Constable, to distrain on the Goods of the said Owner; and the same, or so much thereof as will satisfy and pay the said Sum herein before directed, to be paid to the said Magistrate: And in case the Magistrate, to whom any runaway Slave shall be delivered, as aforesaid, shall not know who the Owner of such runaway Slave shall be, such Magistrate shall send the said runaway Slave to the next Marshal, who is hereby directed to pay to the said Magistrate the Sum herein before directed to be paid by the Owner, in case such Runaway Slave shall be brought to him; and to be recovered in the same Manner of the said Marshal, in case of Neglect or Refusal.

40 *s.* Reward for killing or bringing in alive a rebellious Negroe.

II. And be it further enacted by the Authority aforesaid, That from and after the passing of this Act, the said *Cudjo* or *Quaw*, or any of the Negroes under their Command, as aforesaid, shall have and receive for every rebellious Negroe they shall kill, or bring in alive, the Sum of Forty Shillings, and no more; to be paid by the Church-wardens of any Parish of this Island, to whom the Ears of such rebellious Negroe shall be produced, together with a Certificate signed by one of the White Persons residing in *Trelawney* or *Crawford*, or any other Towns of the Rebels, certifying, in the best Manner he is able, the Time and Place where such rebellious Negroe was killed or taken; which said Sum, so to be paid by such Church-warden, shall be allowed to him by the Receiver-General or his Deputy, out of any Sum or Sums of Money such Church-warden shall have in his Hands; and every Church-warden who shall neglect, or refuse to pay the same, shall incur the Penalty of Five Pounds for every such Neglect or Refusal.

Penalties, how recovered.

III. And be it further enacted by the Authority aforesaid, That all Penalties in this Act, not directed how to be recovered, shall be recovered in a summary Way, before any Two Magistrates; one Moiety thereof to the Use of his Majesty, his Heirs and Successors, for and towards the Support of the Government of this Island, and the contingent Charges thereof; and the other Moiety to him or them who shall inform or sue for the same.

IV. And be it further enacted by the Authority aforesaid, That the said above recited Laws, and all Matters and Things therein contained, and not hereby altered, shall continue and be in full Force to all Intents and Purposes whatsoever.

V. And be it further enacted, That the Secretary do cause this Act to be printed, and Copies thereof transmitted to the *Custos*, or eldest Justice of each of the respective Parishes of this Island, within Forty Days after the passing of this Act, and for each of which he shall be paid by the Receiver-General out of any Money in his Hands unappropriated.

1742. ## *An Act for the more effectually preventing and further Punishment of Forgery.*

Act 134. WHEREAS the wicked, pernicious, and abominable Crime of Forgery hath of late been so much practised, to the Subversion of Justice, and Prejudice of Trade and Credit, that it is necessary, for the more effectually preventing so enormous an Offence, to inflict a more exemplary Punishment upon the Offenders, than by the Laws of this Island can now be done: Be it therefore enacted by the Governor, Council, and Assembly; and it is hereby enacted by the Authority of the same, That if any Person, from and after the Twentieth Day of *May*, in this present Year of our Lord One thousand seven hundred and forty-two, shall falsly make, forge, or counterfeit, or cause, or procure to be falsly

falſly made, forged, or counterfeited, or willingly act or aſſiſt in the falſe making, forging, or counterfeiting any Deed, Will, Teſtament, Bond, Writing obligatory, Bill of Exchange, Promiſſary Note for Payment of Money, Indorſement, Aſſignment; or Acceptance of any Bill of Exchange, or Promiſſary Note for Payment of Money, or any Acquittance or Receipt, either for Money or Goods, with Intention to defraud any Perſon whatſoever; or ſhall utter or publiſh as true, any falſe, forged, or counterfeit Deed, Will, Teſtament, Bond, Writing obligatory, Bill of Exchange, Promiſſary Note for Payment of Money, Indorſement, Aſſignment, or Acceptance of any Bill of Exchange, or Promiſſary Note for Payment of Money, Acquittance, or Receipt, either for Money or Goods, with Intention to defraud any Perſon, knowing the ſame to be falſe, forged, or counterfeited; then every ſuch Perſon being thereof lawfully convicted, according to the due Courſe of Law, ſhall be deemed guilty of Felony, and ſuffer Death as a Felon, without Benefit of Clergy. 1742.

II. Provided always, and it is hereby further enacted by the Authority aforeſaid, That no Attainder, for any Offence hereby made Felony, ſhall make or work any Corruption of Blood, Loſs of Dower, or Diſheriſon of Heirs. Proviſo.

An Act for enlarging the Time for proving or acknowledging and recording or inrolling Deeds and Conveyances made and executed out of this Iſland. 1743.

Whereas by an Act, entituled, *An Act for the better preſerving of the Records in the ſeveral Publick Offices in this Iſland, ſupplying and remedying Defects in ſeveral former Laws for preventing fraudulent Deeds and Conveyances, and recording Old Wills in a prefixed Time*, paſſed in the Year One thouſand ſeven hundred and thirty one, it is amongſt other Things enacted, That all Deeds and Conveyances made and executed out of this Iſland, for any Lands, Tenements, Negroes, or Hereditaments within this Iſland, from the Firſt Day of *May*, which ſhould be in the Year of our Lord One thouſand ſeven hundred and thirty two, ſhould be duly proved or acknowledged, and recorded or inrolled in the Office of Enrollments of this Iſland, within Six Calendar Months after the Dates of ſuch Deeds and Conveyances, and within Ninety Days after the Arrival of the Ship which brought the ſame; otherwiſe to ſtand void, with reſpect to other Purchaſers or Mortgagees, *bona fide*, for valuable Conſideration, but ſtill to preſerve and maintain a Right and Title againſt the Vendor or Mortgager, or their Heirs; in caſe the firſt Vendee or Mortgagee ſhall at any Time duly prove and record his or their Deeds or Conveyances, no ſecond or other Deed or Conveyance being in the mean Time proved or acknowledged, and recorded or inrolled in favour of any other Perſon or Perſons, as aforeſaid: And whereas the Term or Time of Six Months, by the ſaid recited Act limited and allowed, for the proving or acknowledging, and recording, or inrolling ſuch Deeds and Conveyances ſo made and executed out of this Iſland, is ſo ſhort, that by many Accidents it may happen, that the Perſons in whoſe favour ſuch Deeds and Conveyances are made, may not be able to get them proved or acknowledged, and recorded or inrolled in the Office of Enrollments of this Iſland, before the Expiration of the ſaid Term or Time; may it therefore pleaſe your moſt excellent Majeſty that it may be enacted; be it therefore enacted by your Majeſty's Governor, Council, and Aſſembly of this your Iſland of *Jamaica*; and it is hereby enacted by the Authority of the ſame, That all Deeds and Conveyances made and executed out of this Iſland, after the paſſing of this Act, that ſhall be duly proved or acknowledged, and recorded or inrolled in the Office of Enrollments of this Iſland, within Twelve Calendar Months after the Dates of ſuch Deeds or Conveyances, and Ninety Days after the Arrival of the Ship that ſhall bring the ſaid Deeds or Conveyances to this Iſland, ſhall be of equal Validity, Force, and Virtue, to all Intents and Purpoſes, with Deeds and Conveyances Act 135. Deeds, &c. executed out of the Iſland, if duly proved and recorded within 12 Months, valid.

1743. made and executed out of this Iſland, and which were or ſhall have been proved or acknowledged, and recorded or inrolled within Six Calendar Months after the Dates of ſuch Conveyances, and within Ninety Days after the Arrival of the Ship which brought the ſame to this Iſland; any thing in the ſaid recited Act to the contrary in any wiſe notwithſtanding.

1744. *An Act for the more effectual preventing of Gaming, and Suppreſſion of Lotteries.*

Act 136. WHEREAS many Miſchiefs and Inconveniences do ariſe, and are daily found, by frequenting of publick Billiard-Tables, and by playing at Dice and other unlawful Games; the ſame tending to encourage a looſe and diſorderly Life, and to cozening and debauching the Youth of this Iſland, to the Loſs of their Time and the Ruin of their Eſtates and Fortunes; may it therefore pleaſe your moſt excellent Majeſty that it may be enacted; be it therefore enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland, and it is hereby enacted by the Authority of the ſame, That no Perſon or Perſons, from and after the Twenty-fifth Day of *Auguſt*, in the preſent Year of our Lord One thouſand ſeven hundred and forty-four, by himſelf, Deputy, Servant, or other Perſon, ſhall for his, her, or their Gain or Lucre, erect, ſet up, continue or keep, hold, occupy, exerciſe, or maintain any common Gaming-houſe, or other Place for playing at Billiards or Shovel-board; or for playing at the Games called Pharaoh, Ace of Hearts, Paſſage, and Hazard; or for playing at any Game or Games at or with Cards; or for playing at any Games at or with any Machine, Engine, or Device of Chance of any Kind whatſoever, Backgammon, and the other Games now played with the Backgammon Tables, (Skettles, Nine-pins, and Bowls only excepted;) ſuch Perſon or Perſons, and every or either of them, upon being convicted thereof before one or more Juſtice or Juſtices of the Peace for any Pariſh or Precinct, upon the Oath or Oaths of one or more credible Witneſs or Witneſſes (which ſaid Oaths the ſaid Juſtices are hereby authoriſed, impowered, and required to adminiſter) or upon the View of ſuch Juſtice or Juſtices, or on the Confeſſion of the Party or Parties, ſhall forfeit and loſe the Sum of Ten Pounds, to be levied by Diſtreſs and Sale of the Offender's Goods, by Warrant under the Hands and Seals of one or more Juſtice or Juſtices of ſuch Pariſh or Precinct, where the Offence ſhall be committed; which ſaid Forfeitures, when recovered, after deducting the reaſonable Charges of ſuch Proſecution, ſhall go and be applied, one Moiety to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof, and the other Moiety to the Informer.

Billiards, Shovel-Board, Pharaoh, Cards, &c. forbid.

Backgammon, Skettles, Nine-pins, and Bowls, excepted.

10 *l.* Penalty on Perſons offending.

II. And be it enacted by the Authority aforeſaid, That all and every Perſon and Perſons uſing and haunting any of the ſaid Houſes or Places, and who ſhall, in ſuch Houſes or Places, be Adventurers in any of the ſaid Games of Billiards, Shovel-board, Pharoah, Ace of Hearts, Paſſage, Hazard, Cards, or at any Game played at or with any Machine, Engine, or Device of Chance, of any Kind whatſoever; or ſhall therein play, ſet at Stake, or punt at, or ſhall bet on the Side or Sides of ſuch as do and ſhall play at either of the ſaid Games (Backgammon and the other Games now played with the Backgammon Tables, Skettles, Nine-pins and Bowls only excepted) and ſhall be thereof convicted in ſuch Manner and Form as in and by this Act is preſcribed, every ſuch Perſon or Perſons ſhall forfeit and loſe the like Sum of Ten Pounds, to be ſued for, recovered, and diſpoſed of, as aforeſaid: And be it enacted by the Authority aforeſaid, That no ſuch Conviction or Judgment ſhall be removed or removeable by *Certiorari*, or any other Writ or Proceſs whatſoever, into his Majeſty's Supreme Court of Judicature, until Judgment or Determination hath been given and made thereupon by ſuch Juſtice or Juſtices, as aforeſaid; nor ſhall any Conviction made, or Judgment given as aforeſaid by this Act, be ſet aſide, by the Judges of the ſaid

ſaid Supreme Court of Judicature, for want of Form, in caſe the Fact alledged in the ſaid Conviction ſhall be proved to the Satisfaction of the ſaid Court. 1744.

III. And be it further enacted, That if any Perſon or Perſons who ſhall be convicted of any of the Offences in this Act afore-mentioned, and ſhall not have ſufficient Goods and Chattels whereon to levy the Penalties inflicted by this Act; or ſhall not immediately pay the ſaid Penalties, or give Security for the ſame, it ſhall and may be lawful for the ſaid Juſtice or Juſtices, before whom ſuch Perſon ſhall be convicted as aforeſaid, to commit ſuch Perſon or Perſons to the common Gaol of the Pariſh or Precinct where ſuch Offence ſhall be committed, there to continue and remain for any Time not exceeding one Month. Perſons not paying the Penalty to be ſent to Gaol.

IV. And whereas divers looſe and diſſolute Perſons, Overſeers, Tradeſmen, Servants free, and other Negroes, Mulattoes, and *Indians*, do meet at private Houſes, and other Places, where the Games herein before mentioned, or ſome or one of them, is or are played at, or carried on, and frequent Riots and Diſorders are committed, to the great Reproach of the Laws and Government of this Iſland; be it therefore further enacted by the Authority aforeſaid, That all and every ſuch Houſe and Houſes, Place and Places where ſuch Meeting and Gaming is and are carried on, ſhall be deemed and adjudged common Gaming-houſes for Lucre, within the true Intent and Meaning of this Act; and that all and every Perſon or Perſons haunting and playing at any of the ſaid Games mentioned in this Act, in any ſuch Houſe or Houſes, Place or Places, ſhall ſeverally forfeit and be liable to all and every the Penalties inflicted by this Act; which ſaid Penalties are to be recovered and diſpoſed of as aforeſaid. Gaming-Houſes, which deemed ſuch.

V. And be it further enacted by the Authority aforeſaid, That it ſhall be lawful to all and every Juſtice and Juſtices of every Pariſh and Precinct within this Iſland, on Information to be made upon Oath, to enter and reſort into all and every Houſes and Places where ſuch Games ſhall be holden, exerciſed, uſed, occupied or played at, contrary to the Form of this Act; and as well the Keepers of the ſame, as alſo the Perſons there haunting, and reſorting and playing, to take, arreſt and impriſon, and them ſo taken and arreſted to keep in Priſon, until ſuch Times as the Keepers and Maintainers of the ſaid Games and Plays have found Sureties to the King's Uſe, to be bound by Recognizance, or otherwiſe, no longer to uſe, keep, or occupy any ſuch Houſe, Play, Game or Place; and alſo that the Perſons there ſo found be in like Caſe bound by themſelves, or with Sureties, by the Diſcretion of the Juſtices, no more to play, haunt, or exerciſe from thenceforth in, at, or to any of the ſaid Places, or at any of the ſaid Games. Juſtices impowered to impriſon Gameſters, &c.

VI. And be it alſo enacted, That if any Juſtice of the Peace, or any other Juſtice herein before deſcribed, ſhall neglect or refuſe ſo to do what is required of him and them by this Act, ſuch Juſtices ſo neglecting or refuſing, ſhall forfeit the Sum of Twenty Pounds for every Offence; one Moiety whereof to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Moiety to the Informer, to be recovered by Action of Debt, Bill, Plaint, or Information in the Supreme Court of Judicature of this Iſland, wherein no Eſſoin, Protection, Wager of Law, or Injunction ſhall be granted or allowed, or *Non vult ulterius proſequi* be entered. And be it enacted by the Authority aforeſaid, That all Proſecutions for any Offence againſt this Act, ſhall be commenced within Three Months next after ſuch Offence committed. Neglecting their Duty herein, to forfeit 20 *l.*

VII. Provided that nothing in this Act extend to prevent or hinder any Perſon or Perſons, who have Eſtates in Land, Negroes, or other Hereditaments, of the clear yearly Value of One hundred Pounds, or are worth the Sum of One thouſand Pounds, after all their Debts are paid, and who do not keep publick Houſes, from continuing or erecting any Billiard Table or Tables in his and their Houſe or Houſes, or from playing at, or permitting to be played at any of the ſaid Games (Hazard or Paſſage excepted) for the private Recreation of themſelves, and ſuch of their Friends as may happen to be at their Houſes, ſo as ſuch Perſon or Perſons playing at ſuch Games, ſhall not loſe above the Value of Twenty Pounds at any one Time or Sitting; and in caſe of any Proſecution for Breach of this Act, the Party proſecuted, or claiming the Benefit of the laſt mentioned Proviſo, Proviſo,

1744. viſo, ſhall prove the clear yearly Value of his Eſtate, or his Worth, after all his Debts paid; or the Eſtate or Worth of the Perſon in whoſe Houſe he ſhall play, by an Affidavit for that Purpoſe to be made by ſuch Party, before ſuch Magiſtrate or Magiſtrates before whom they ſhall be proſecuted for ſuch Offence: And in caſe ſuch Magiſtrate, notwithſtanding ſuch Affidavit, ſhall conceive any Doubt relating to the clear yearly Value of the Eſtate or the Worth of ſuch Perſon, ſuch Magiſtrate may, if he thinks neceſſary, inſiſt on the Parties ſetting forth, in an Affidavit to be made before him, the Particulars of ſuch Eſtate, or how or in what Manner they compute themſelves worth One thouſand Pounds, and upwards, and in what ſuch Worth conſiſts.

Lotteries forbid.

VIII. And whereas ſeveral Perſons have ſet up certain fraudulent Games and Lotteries, to be determined by the Chance of Cards and Dice, and Subſcriptions have been carried on under the Denomination of Sales of Plate, Jewels, and other Goods, and Propoſals or Schemes have been printed for the Sale of ſuch Plate, Jewels, Goods, and other Things to be determined by Raffles, by Mathematical Engines or Machines, and by other indirect Ways, tending to defraud unwary Perſons, ignorant of the Diſadvantages Adventurers in the ſaid Games and Lotteries are ſubject and liable to; for Remedy whereof, be it further enacted, declared and adjudged, That all ſuch Lotteries are common and publick Nuſances, and that all Grants, Patents and Licences for ſuch Lotteries are void and contrary to Law. And be it further enacted, That from and after the ſaid Twenty-fifth Day of *Auguſt*, in the ſaid Year of our Lord One thouſand ſeven hundred and forty-four, no Perſon or Perſons whatſoever ſhall publickly or privately exerciſe, keep open, ſhew or expoſe to be played at, drawn at, or thrown at; or ſhall draw, play, or throw at any ſuch Lottery, either by Dice, Lots, Cards, Balls, or any other Numbers or Figures, or any other Way whatſoever; or ſhall expoſe to Sale any Houſe or Houſes, Lands, Plate, Jewels, or other Goods, by any Lottery, Game, Method or Device whatſoever, depending upon, or to be determined by any Lot or Drawing, whether it be out of a Box or Wheel, or by Cards or Dice, or by any Machine, Engine, or Device of Chance of any Kind whatſoever: And that every Perſon or Perſons that ſhall, after the ſaid Twenty-fifth Day of *Auguſt*, in the ſaid Year of our Lord One thouſand ſeven hundred and forty-four, exerciſe, expoſe, offer or ſhew to be played, thrown or drawn at any ſuch Lottery, Play or Device, for every ſuch Offence, upon being convicted thereof before any one Juſtice of the Peace, for any Pariſh or Precinct, upon the Oath or Oaths of one or more credible Witneſs or Witneſſes (which ſaid Oaths the ſaid Juſtices are hereby authorized, impowered and required to adminiſter) or upon the View of ſuch Juſtice or Juſtices, or on the Confeſſion of the Party or Parties,

Offenders forfeit 100 *l.*

ſhall forfeit and loſe the Sum of One hundred Pounds, to be levied by Diſtreſs and Sale of the Offender's Goods, by Warrant under the Hands and Seals of two or more Juſtices of ſuch Pariſh or Precinct where the Offence ſhall be committed; which ſaid Forfeitures, when recovered, after deducting the reaſonable Charges of ſuch Proſecution, ſhall go and be applied, one Moiety to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Moiety to the Informer. And be it alſo enacted, That all and every Perſon and Perſons who ſhall be Adventurers in any of the ſaid Lottery or Lotteries, Sale or Sales, as aforeſaid, and ſhall be thereof convicted by two or more Juſtices as aforeſaid, every ſuch Perſon or Perſons ſhall forfeit and loſe the Sum of Ten Pounds, to be applied and diſpoſed of as aforeſaid.

IX. And be it enacted by the Authority aforeſaid, That this Act be printed, and that twelve Copies thereof be ſent to each *Cuſtos Rotulorum*, or Chief Magiſtrate of each reſpective Pariſh within this Iſland, to be by him promulged according to his Diſcretion.

This Act made perpetual by Act 145. Cl. I.

X. And be it further enacted by the Authority aforeſaid, That this Act ſhall commence from, and immediately after the ſaid Twenty-fifth Day of *Auguſt*, in the ſaid Year of our Lord One thouſand ſeven hundred and forty-four, and ſhall continue and be in Force for three Years, and from thence till the End of the then next Seſſion of Aſſembly, and no longer.

An

An Act for erecting a Houſe or Edifice for the Uſe of the Council and Aſſembly, and for the better preſerving of the publick Records, and for the Reception of the ſmall Arms. 1744.

ACT 137.

WHEREAS it will be advantageous to the Publick, that a fit and convenient Houſe or Edifice be built for the Uſe of the Council and Aſſembly, and for the Conſervation of the publick Records of this Iſland, which have heretofore ſuffered by Storms and Hurricanes, and by being frequently removed from Houſe to Houſe, at the Will of the reſpective Officers keeping the ſame, and that an Armory be provided for keeping of ſmall Arms; may it t erefore pleaſe your moſt Excellent Majeſty, that i may be enacted, and be it enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted by the Authority of the ſame, That a fit and convenient Houſe or Edifice be built and erected in the Parade of the Town of St. *Jago de la Vega*, for the Purpoſes aforeſaid; and that the Honourable *Hampſon Nedham*, *Edmund Hyde*, and *Charles Dawes*, Eſquires, the Honourable *William Nedham*, Eſq; Speaker of the Aſſembly, or the Speaker of the Aſſembly for the Time being, and *Dennis Kelly*, *Charles Price*, *Roſe Fuller*, *Andrew Arcedeckne*, *Foſter March*, *Richard Beckford*, *John Hudſon Guy*, *John Palmer*, and *John Ayſcough*, Eſquires, ſhall be, and they are hereby conſtituted and appointed Commiſſioners for deſigning, erecting, ordering, and building ſuch Houſe or Edifice, and for maintaining, preſerving and ſupporting the ſame when built.

Edifice to be built in St. *Jago de la Vega*.

Commiſſioners appointed.

II. AND be it enacted by the Authority aforeſaid, That the Commiſſioners aforeſaid, or any Five or more of them, of which one to be of his Majeſty's Council, ſhall meet together at the Court-Houſe in St. *Jago de la Vega*, on or before the Twenty-ninth Day of *September*, in the preſent Year of our Lord One thouſand ſeven hundred and forty-four, in order to proceed to put this Act in Execution; and ſhall, after ſuch their firſt Meeting, as often as they, or any Five or more of them, of which one to be of his Majeſty's Council, ſhall think proper, meet and aſſemble in ſuch Places and at ſuch Times as to them ſhall ſeem moſt convenient for the Purpoſes thereof.

III. AND be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Five or more of them, of which one to be of his Majeſty's Council, and they are hereby impowered, at any Time or Times at or after ſuch their firſt Meeting, to deſign, aſſign, and lay out, how and in what Manner, and with what Materials the ſaid intended Houſe or Edifice ſhall be made, erected and built, and to make Contracts, and to do all Matters and Things for carrying on and effecting the Purpoſes aforeſaid, and to cauſe the ſame to be effectually done and perfected accordingly.

IV. AND be it enacted by the Authority aforeſaid, That all Stones, Bricks, Planks, Boards, Iron, and all other Materials which ſhall be made Uſe of, for or towards building or making the ſaid Houſe or Edifice, or in or about the ſame, or for maintaining, repairing, or ſupporting the ſame, ſhall always be deemed to belong and appertain to, and be the Property of the ſaid Commiſſioners.

V. AND be it enacted by the Authority aforeſaid, That a Sum not exceeding Six thouſand Pounds ſhall be appropriated and applied towards erecting and building the ſaid Houſe or Edifice; and that *Murray Crymble*, Eſq; or the Receiver-General for the Time being, out of the Surpluſage of all the Funds in his Hands unappropriated, ſhall pay the ſaid Sum of Six thouſand Pounds, or any Part thereof, to the Order of the ſaid Commiſſioners, or any Five or more of them, of which one to be of his Majeſty's Council, ſignified by Writing under their Hands.

6000*l.* appropriated to building the Edifice.

VI. AND be it further enacted by the Authority aforeſaid, That all Artificers and others, who ſhall make any Contract or Agreement with the ſaid Commiſſioners, for building or finiſhing all or any Part of the ſaid Houſe or Edifice intended to be built by virtue of the Powers given in and by this Act, or other Purpoſes herein mentioned, ſhall give Security, to be approved of by the ſaid Commiſſioners, or any Five or more of them, of which one to be of his Majeſty's

Artificers to give Security.

1744. Council, for the due Performance of all and every the Matters and Things contained in ſuch Contracts or Agreements, according to the true Intent and Meaning of the ſame.

Clerks, &c. to be appointed by the Commiſſioners.

VII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Commiſſioners, and their Succeſſors, or any Five or more of them, of which one to be of his Majeſty's Council, at any Time or Times hereafter, by Writing or Writings under their Hands, to appoint ſuch Perſon or Perſons to be Clerk or Clerks, and ſuch other Officers as they ſhall think fit, for doing ſuch Acts as may be neceſſary, in the Execution of the Powers and Authorities hereby given to the ſaid Commiſſioners; which Clerks or other Officers ſhall, from Time to Time, be removable at the Will and Pleaſure of the ſaid Commiſſioners, or any Five or more of them, of which one to be of his Majeſty's Council, by Inſtrument in Writing under the Hands of the ſaid Commiſſioners, or any Five or more of them, of which one to be of his Majeſty's Council; and the ſaid Commiſſioners, or any Five or more of them, of which one to be of his Majeſty's Council, ſhall and may make ſuch Allowances unto ſuch Clerk or Clerks, or other Officers to be employed by and under the ſaid Commiſſioners, for their Care and Pains in the Execution of their reſpective Offices, as the ſaid Commiſſioners ſhall think reaſonable.

VIII. Provided always, That no Perſon appointed, or to be appointed a Commiſſioner for putting this Act in Execution, or any of the Truſt or Powers, as aforeſaid, ſhall be capable of acting as a Commiſſioner, during ſuch Time as he ſhall have or execute any Office or Place of Profit by or under the Authority of this Act; or during ſuch Time as he ſhall have any Share or Intereſt in any Contract or Agreement, for effecting the Purpoſes aforeſaid.

Five Commiſſioners may elect new ones, when a Vacancy happens.

IX. And be it enacted by the Authority aforeſaid, That for ſupporting and continuing a ſufficient Number of fit and able Perſons to be Commiſſioners, for putting in Execution the Powers and Truſts contained in this Act, when any of the ſaid Commiſſioners ſhall die, or refuſe to act, the ſurviving or remaining Commiſſioners, or any Five or more of them, of which one to be of his Majeſty's Council, ſhall, by Inſtrument in Writing under their Hands, from Time to Time elect, nominate and appoint, in the Room of ſuch Commiſſioner or Commiſſioners ſo dying, or refuſing to act, ſo many more fit and able Perſons out of the Council and Aſſembly; Notice being firſt given in the *Jamaica* Gazette, or by a Writing fixed up in the Court-Houſe in St. *Jago de la Vega*, at leaſt Ten Days before that a general Meeting of the Commiſſioners will be held, for electing Commiſſioners in the Room of ſuch Perſons as ſhall refuſe to act, or happen to die; and every new Commiſſioner ſo to be elected, nominated and appointed, ſhall have full Power and Authority to act, and do in all Things relating to the Premiſſes, in as full, large, and ample Manner, to all Intents and Purpoſes, as any of the Commiſſioners hereby nominated and appointed.

X. And it is hereby further declared, That this Act is a publick Act, and ſhall be deemed and taken notice of as ſuch by all Judges, Juſtices, and others, in all Courts and Places in this Iſland, without ſpecially pleading the ſame.

An Act for veſting the Sum of One thouſand Pounds, deviſed by the Laſt Will and Teſtament of Peter Beckford, *Eſq; deceaſed, to the Poor of the Pariſh of St.* Catharine *in a Free-School in the Town of St.* Jago de la Vega; *and for erecting a Corporation for the better Government thereof.*

Act 138.

Peter Beckford, Eſquire's Donation.

WHEREAS *Peter Beckford*, late of the Pariſh of St. *Catharine* in this Iſland, deceaſed, did, by his Laſt Will and Teſtament, bequeath the Sum of One thouſand Pounds, towards the erecting a Free-School or Hoſpital in the ſaid Pariſh of St. *Catharine*, provided ſuch Building ſhould be undertaken and begun within three Years after his Deceaſe; and whereas the Juſtices and Veſtry of the ſaid Pariſh, in order to intitle the ſaid Pariſh to the Benefit of the ſaid Donation, did, within the Time limited by the ſaid Will, undertake and ſet on Foot a Build-

a Building or Edifice on a certain Lot or Parcel of Land within the Town of St. *Jago de la Vega*, and Pariſh aforeſaid, belonging to the ſaid Pariſh of St. *Catharine*, upon which ſaid Building the ſaid Sum of One thouſand Pounds, deviſed as aforeſaid, hath ſince been expended and laid out; and alſo the further Sum of Two hundred Pounds, given and deviſed by the Laſt Will and Teſtament of *John Ellis*, Eſq; late of the ſaid Pariſh, deceaſed; with which ſaid Sums, together with the Contributions and Benefactions of divers other charitable and well-diſpoſed Perſons, the ſaid Building has been carried on, and is now near finiſhed, together with ſuch proper Out-houſes, and Conveniencies thereunto belonging, as will render it commodious and fit for the Purpoſe of a Free-School; and whereas the ſaid *Peter Beckford*, by his ſaid Laſt Will and Teſtament, did alſo give and bequeath the further Sum of One thouſand Pounds to the Poor of the ſaid Pariſh of St. *Catharine*, to be diſtributed at the Diſcretion of *Bathſhua*, Widow and Relict of the ſaid *Peter Beckford*, and *John Scot*, Clerk, late Rector of the ſaid Pariſh, who died in the Life-time of the ſaid Teſtator; whereby the Diſtribution and Application of the ſaid Sum of One thouſand Pounds remained ſolely with the ſaid *Bathſhua Beckford*: And whereas the ſaid *Bathſhua Beckford* is willing that the ſaid laſt mentioned Sum of One thouſand Pounds ſhould be given and applied towards the endowing of a Free-School in the ſaid Pariſh of St. *Catharine*, provided ſhe be indemnified and ſaved harmleſs for ſuch Application; and whereas the applying the ſaid laſt mentioned Sum of One thouſand Pounds, in Manner aforeſaid, will be of a more uſeful and laſting Advantage to the Poor of the ſaid Pariſh, than if the ſame had been diſtributed according to the Letter of the ſaid Will; and as the ſaid firſt mentioned Sum of One thouſand Pounds, ſo deviſed as aforeſaid, and already laid out on the ſaid Building, together with all the other Sums that have been hitherto expended, will be rendered uſeleſs, and of no Effect, without the Aid of the Legiſlature for endowing the ſame, and for promoting, eſtabliſhing, and making good and effectual the ſaid pious and charitable Intentions; and whereas, if ſuch an Eſtabliſhment be once made, there is good Reaſon to hope, that it will, by the preſent and future Donations, be completed and continued for the Benefit of Poſterity; we therefore, your Majeſty's moſt dutiful and loyal Subjects, the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, do moſt humbly beſeech your Majeſty, that it may be enacted; and be it enacted by the Authority aforeſaid, That the ſaid laſt mentioned Sum of One thouſand Pounds, deviſed by the Laſt Will and Teſtament of the ſaid *Peter Beckford*, Eſq; deceaſed, to be given and diſtributed to the Poor of the Pariſh of St. *Catharine*, ſhall, from and after the paſſing of this Act, be veſted in, and the ſaid Sum of One thouſand Pounds is hereby veſted in the Governors of the ſaid School herein after mentioned, to and for the Uſe of the ſaid Free-School, abſolutely freed and diſcharged of and from all Truſts, Claims and Demands whatſoever, declared or expreſſed of and concerning the ſame, in and by the ſaid Laſt Will and Teſtament of the ſaid *Peter Beckford*, deceaſed.

1744.

John Ellis, Eſquire's Donation.

Peter Beckford, Eſquire's Legacy of 1000 *l.* applied to the Uſe of the Free-School.

II. AND be it enacted by the Authority aforeſaid, That from and after the paſſing of this Act, there be, and ſhall be a Corporation, to continue for ever, to and for the better regulating, governing, ordering and eſtabliſhing the ſaid Free-School; and that his Excellency *Edward Trelawney*, Eſq; Captain-General, Governor, and Commander in Chief of this Iſland, or the Governor or Commander in Chief of the ſaid Iſland for the Time being; the Honourable *John Stewart*, Eſq; Lieutenant Governor, or the Lieutenant Governor for the Time being; Sir *Simon Clarke*, Baronet, and the Honourable *Hampſon Nedham*, *Thomas Rodon*, *Edmund Hyde*, *Charles Dawes*, and *Iſaac Gale*, Eſquires, Members of the Council, and the Honourable the Council for the Time being; the Honourable *William Nedham*, Eſq; Speaker of the Aſſembly, or the Speaker of the Aſſembly for the Time being; *Andrew Arcedeckne*, *Thomas Ayſcough*, *Robert Byndloſs*, *William Morris*, *Benjamin Hume*, *Edward Manning*, *James Ord*, *Richard Beckford*, *Robert Philips*, *William Peete*, *Charles Price*, *William Wynter*, *Robert Bennet*, *Benjamin Puſey*, *William Beckford*, *Thomas Fearon*, junior, *David Olyphant*, *Barnart Andrieſs Woodſtock*, *Norwood Witter*, *William Hall*, *William Cuningham*, *Thomas Beckford*, *William Bucknor*, *Benjamin Lawrence*, *Jonathan Barnat*, *Barrow Harris*.

Governors incorporated.

1744. *ris, Samuel Whitehorne, Ballard Beckford, John Hudſon-Guy, William Baldwin, Foſter March, William Thomas, Abraham Richardſon, Peter Valette, John Elletſon,* and *Henry Dawkins*, Eſquires, Members of the preſent Aſſembly, and the Members of the Aſſembly for the Time being, the honourable *Dennis Kelly*, Eſquire, Chief Juſtice, and the Chief Juſtice for the Time being, and the Honourable *Roſe Fuller, Martin Wilkins, John Palmer, John Gale*, and *John Ayſcough*, Eſquires, Aſſiſtant Judges, and the Aſſiſtant Judges for the Time being, *Edward Charlton, Thomas Barritt, Samuel Williams, Francis March*, and *Thomas Gardner*, Eſquires, the Reverend *Calvin Galpine*, Clerk, and *John Wallin*, Eſquire, and their Succeſſors, ſhall be, and are hereby declared and adjudged to be one Body Corporate and Politick, in Deed and in Law, by the Name of the Governors of the Free-School of St. *Jago de la Vega*; and that by the ſame Name of the Governors of the Free-School of St. *Jago de la Vega* they ſhall have perpetual Succeſſion and a Common Seal, with Power to change, alter, break, and make new the ſame, when and as often as they ſhall judge expedient; and by the ſame Name may ſue and be ſued, implead and be impleaded, anſwer and be anſwered unto, in all or any Court or Courts of Record, and Places of Judicature within this Iſland; and that they and their Succeſſors, by the Name aforeſaid, ſhall be able and capable in Law to have, hold, receive, enjoy, poſſeſs, and retain to them and their Succeſſors, in Truſt to and for the Benefit of the ſaid Charity, all ſuch Sum and Sums of Money as have been contributed and raiſed, particularly the ſaid laſt mentioned Sum of One thouſand Pounds, ſo deviſed by the ſaid *Peter Beckford*, as aforeſaid, or ſhall at any Time or Times hereafter be raiſed and contributed, given, deviſed or bequeathed by any charitable and well-diſpoſed Perſons, to and for the charitable Ends and Purpoſes in this Act mentioned; and that they and their Succeſſors, by the Name aforeſaid, ſhall and may at any Time hereafter, without Licence in Mortmain, purchaſe, take, or receive any Lands, Tenements, or Hereditaments, or any Eſtate or Intereſt ariſing or deriving out of the ſame.

5 Governors to form a Court.

III. And be it further enacted by the Authority aforeſaid, That any Five of the Governors ſhall form a General Court of the ſaid Corporation; and the major Part of ſuch Number ſo aſſembled together, in ſuch General Court, ſhall be inveſted with the full Power and Authority of the ſaid Corporation, to all Intents and Purpoſes as if all the Governors of the ſaid Corporation were preſent; and that all ſuch Aſſemblies ſhall be held in the ſaid Building ſo intended for the ſaid Free-School.

Land and Building veſted in the Corporation.

V. And be it further enacted by the Authority aforeſaid, That the Site of the Building in the ſaid Town of St. *Jago de la Vega*, intended for the ſaid Free-School, and all the Ground and Soil intended for the Accommodation of the ſame, are hereby veſted in the ſaid Corporation and their Succeſſors for ever: And that they the ſaid Governors, and their Succeſſors, to be elected and named in the Manner herein after directed and appointed, ſhall and may, at the Expence, Coſts, and Charges of the ſaid Corporation, proceed in carrying on and completing the ſaid Building begun for that Purpoſe, for the Reception of one or more Maſter or Maſters, and for the Education of ſuch and ſo many poor Children as by the ſaid Governors, or the major Part of theſe preſent at a General Court ſo aſſembled as aforeſaid, ſhall or may be deemed and adjudged, and can and may, by, from, or with the Income and Revenues which ſhall or may belong or appertain to the ſaid Free-School, be capable to be entertained and inſtructed therein.

Children of St. *Catherine*'s to have the Preference of Admiſſion.

V. And be it further enacted by the Authority aforeſaid, That every poor Child or Children, thoſe of the Pariſh of St. *Catharine* always to have the Preference, is and are, and they are hereby reſpectively declared to have a Right, and be entitled to be educated in the ſaid Free-School, in Reading, Writing, Grammar, Arithmetick, and other Mechanical and Practical Knowledge, without any Coſts or Charges whatſoever; ſuch Child or Children, or ſo many of them to be choſen and admitted into the ſame, from Time to Time, in ſuch Manner, and under ſuch Conditions and Regulations, as the ſaid Governors, in their General Court ſo aſſembled, as aforeſaid, ſhall appoint.

VI. And

1744.

VI. And be it enacted by the Authority aforeſaid, That a General Court of the ſaid Governors ſhall have full Power to diſpoſe of the Monies hereby veſted in the ſaid Corporation, or that ſhall hereafter be veſted in the ſame; and they are hereby authorized and impowered to lay the ſame out at Intereſt, or in the Purchaſe of any Lands, Tenements, or any Eſtates, or Intereſts ariſing or derived out of any Lands or Tenements whatſoever, together with the Yearly Value of all ſuch other Lands, Tenements, or Hereditaments; or of ſuch Eſtates or Intereſts ariſing, or derived out of the Lands, Tenements, and Hereditaments, as the Corporation, or their Succeſſors, ſhall any otherwiſe acquire or take, in virtue of this Act, for the Uſe of the ſaid Corporation and their Succeſſors, for the Benefit of the ſaid Free-School; and with and under their Common Seal to enter into any Covenants or Contracts for the Purpoſes aforeſaid, as they ſhall think fit, for the better effecting and carrying on the Charity hereby intended: And the ſaid Governors, or any General Court of them, are hereby impowered to appoint and chooſe one or more Maſter or Maſters, for teaching and inſtructing the Children intended to be the Objects of the ſaid Charity; and alſo ſuch Officer or Officers, Servant and Servants, and other Perſon or Perſons, to be employed for the Purpoſes herein mentioned and intended, or other the Affairs of the ſaid Corporation; and to direct and appoint ſuch Salaries Perquiſites, or other Rewards for their Labour or Service therein, as they ſhall approve of or think proper; and at their Pleaſure to remove, diſplace, and ſupply ſuch Maſter or Maſters, Officer or Officers, Servant or Servants, and other Perſon or Perſons, to be employed for the Purpoſes herein mentioned or intended, or other the Affairs of the ſaid Corporation, and other fit and able Perſons to chuſe in their room, and to do, manage, tranſact, and determine all ſuch other Matters and Things as ſhall to them, or a General Court of them, appear neceſſary or convenient, for the effecting or carrying on the Purpoſes hereby intended.

Governors impowered to diſpoſe of the Money, &c.

VII. And to the Intent that there never may be wanting a competent Number of Members or Governors of the ſaid hereby erected Corporation, for perpetuating the Succeſſion thereof, be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Governors, or ſuch General Court of them as aforeſaid, to elect ſuch and ſo many other Governors as to them ſhall ſeem convenient.

VIII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Governors, in ſuch General Court as aforeſaid, to make, ordain, and conſtitute ſuch, and ſo many Bye-laws, Conſtitutions, and Ordinances, as to them and the greater Part of ſuch General Court ſhall ſeem neceſſary and convenient for the finiſhing the ſaid Building, and for the better governing, regulating, ordaining, and eſtabliſhing of the ſaid hereby erected Corporation; and the Maſter or Maſters, Officer or Officers, Servant or Servants, Perſon and Perſons by them, in and about the Affairs to be employed of and concerning the ſaid Free-School, and the poor Children and others to be educated in the ſaid School, and for the auditing the Accounts of the ſaid Free-School; and the ſame By-laws, Orders, Ordinances, and Conſtitutions ſo made, to put in Uſe accordingly; and at their Will and Pleaſure to revoke, change, and alter the ſame: Which ſaid By-laws, Orders, and Ordinances, ſo as aforeſaid made, ſhall be duly kept and obſerved, ſo always as the ſaid Conſtitutions, By-laws, Orders, and Ordinances be reaſonable, and not contrary or repugnant to the Laws of *Great Britain*, and this Iſland.

And to make Laws, &c.

An Act for adding of Commiſſioners to thoſe already appointed, to inſpect the Buildings that are to be erected at the Bath in the Pariſh of St. Thomas in the Eaſt.

Act 139.

WHEREAS the good Intention of the ſeveral Acts heretofore made, for rendering the Bath in the Pariſh of St. *Thomas in the Eaſt* uſeful to the Publick, hath been rendered ineffectual, for Want of a competent Number of Commiſſioners to carry the ſame into Execution; may it therefore pleaſe your

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An Act for making and opening a Road fit for Wheel-Carriages, from the Pariſh of St. Anne *to the Pariſh of St.* Thomas in the Vale; *and for impowering other Truſtees to execute ſo much of the Truſts as remain unexecuted by or under an Act, entituled,* An Act for veſting the Eſtate Real and Perſonal of *Thomas Finch*, late of the Pariſh of *Kingſton*, Eſquire, in Truſtees, the better to enable his Securities to pay the Sum of Three Thouſand and Eight hundred Pounds, due from the ſaid *Thomas Finch*, as Commiſſioner to the Publick of this Iſland.

Act 140. WHEREAS opening a Road wide enough for Wheel-Carriages, from the Pariſh of St. *Anne* to the Pariſh of St. *Thomas in the Vale*, would be of great Service, not only to the Inhabitants of each of the ſaid Pariſhes, but likewiſe of great Importance to the Publick; we your Majeſty's moſt dutiful and loyal Subjects, the Aſſembly of this your Majeſty's Iſland of *Jamaica*, for the effecting ſo neceſſary a Work, do humbly beſeech your Majeſty that it may be enacted; be it therefore enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland, and it is hereby enacted by the Authority of the ſame, That it ſhall and may be lawful for the Juſtices and Veſtry of the Pariſh of St. *Anne*, and they are hereby required and impowered to levy and allot one able Negroe Man-Slave, out of every Fifty Slaves, to be employed in the making and opening a Road, from the Gate of *Thomas Price*, Eſq; in the Pariſh of St. *Anne*, to the Houſe of Mr. *George Ivy*, junior, in the Pariſh of St. *Thomas in the Vale*, fit for any Wheel-Carriages; and they are likewiſe impowered and obliged to agree with and hire any Perſon or Perſons in and for ſuch Undertaking, at any certain Price, or for any Sum or Sums of Money, not exceeding the Sum of Six hundred Pounds, and to inſpect and direct the ſaid Work, and to overſee and direct the Negroes to be employed on the ſaid Road till he or they ſhall complete the ſame.

One Negroe out of 50 to be levied for the Road.

II. And as ſome Perſons may refuſe or neglect to ſend their Negroes, or reſpective *Quotas* to be employed on the ſaid Road; be it further enacted by the Authority aforeſaid, That every Perſon who ſhall refuſe or neglect to ſend his or their reſpective Proportions of Slaves, well equipped with proper and neceſſary Tools, ſhall forfeit the Sum of Two Shillings and Six Pence *per* Head *per* Day, for every ſuch Refuſal or Neglect; which ſhall be recovered by Warrant of Diſtreſs, iſſued under the Hand and Seal of any one Juſtice, directed to any ſworn Conſtable, who ſhall be, and is hereby obliged and required, under the Penalty of Fifty Pounds, to make Diſtreſs and Sale, by publick Outcry, on the Mules, Cattle, or other Goods, of every ſuch Perſon ſo neglecting or refuſing; which ſeveral Forfeitures ſhall be employed in defraying the Expences of the ſaid Road. And, as it may be neceſſary to cut Wood and burn Lime in carrying on the ſaid Road;

III. Be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Perſon or Perſons, imployed in making the ſaid Road fit for any Wheel-Carriages, to cut Wood and burn Lime in any Lands lying contiguous to the ſaid Road, in ſuch Manner as he or they ſhall judge neceſſary in the carrying on the ſaid Work; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

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IV. AND whereas *Samuel Vaſſal*, *John Clarke*, and *William Norris*, Eſquires, Truſtees nominated and appointed in an Act, entituled, *An Act for veſting the Eſtate real and perſonal of* Thomas Finch, *late in the Pariſh of* Kingſton, *Eſq; in Truſtees, the better to enable his Securities to pay the Sum of Three Thouſand and Eight hundred Pounds, due from the ſaid* Thomas Finch, *as Commiſſioner, to the Publick of this Iſland*, paſſed in *June* One thouſand ſeven hundred and eleven, are all dead, and there are no Repreſentatives of the Survivor of them in this Iſland, whereby the ſaid Truſt remains unexecuted; be it therefore further enacted, and it is hereby enacted by the Authority aforeſaid, That *Robert Phillips*, *Edward Manning*, and *William Peete*, Eſquires, be, and they are hereby nominated and appointed Truſtees, in the Room of the ſaid deceaſed *Samuel Vaſſal*, *John Clarke*, and *William Norris*, Eſquires, Truſtees in the ſaid Act mentioned; and that all ſuch Part of the Eſtate, real and perſonal, late of the ſaid *Thomas Finch*, as remains undiſpoſed of by the ſaid Truſtees, purſuant to the ſaid Act, be, and the ſame is hereby veſted in the ſaid *Robert Phillips*, *Edward Manning*, and *William Peete*, and their Heirs, upon the Truſt, and to the Uſe in the ſaid Act, in as full, large, and ample Manner as the ſame was veſted in the aforeſaid Truſtees, or either of them; and with all ſuch Powers and Authorities as the ſaid Truſtees, or either of them, had by the ſaid Act; and that they, or any Two of them, may execute the aforeſaid Truſt, and do all Acts and Things neceſſary to the Execution thereof; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

The Eſtate of *Thomas Finch* veſted in new Truſtees.

V. AND be it further enacted by the Authority aforeſaid, That this Act is a publick Act, and ſhall be deemed and taken Notice of as ſuch by all Judges, Juſtices, and others, in all Courts and Places in this Iſland, without ſpecially pleading the ſame.

An Act to explain and amend an Act, entituled, An Act for the better Order and Government of Slaves; *and for making free and rewarding a Negroe named* Hector, *belonging to* Thomas Fuller, *Eſq; and paying his ſaid Maſter the Value of the ſaid Negroe.*

ACT 141.

WHEREAS by the ſaid Act, entituled, *An Act for the better Order and Government of Slaves*, it is among other Things enacted, That upon Complaint made to any Juſtice of the Peace of any Felony, Burglary, Robbery, Burning of Houſes, Canes, Rebellious Conſpiracies, or any other Capital Offence whatſoever, he, the ſaid Juſtice, ſhould iſſue out his Warrant for the apprehending the Offender or Offenders, and for all Perſons to come before him that could give Evidence (and the Evidence of one Slave againſt another, in that and all other Caſes, ſhould be deemed good and ſufficient Proof) and if upon Examination it probably appeared, that the apprehended were guilty, he ſhould commit him, her, or them to Priſon, and certify to the next Juſtice the Cauſe, and require him, by virtue of the ſaid Act, to aſſociate himſelf to him, which ſuch Juſtice is thereby required to do; and they ſo aſſociated ſhould iſſue out their Warrant to ſummon Three Freeholders, ſetting forth to them the Matter, and requiring them, at a certain Day and Hour, and at ſuch a Place as the Juſtices or Veſtry, or the Juſtices, where no Veſtry was, ſhould, as by the ſaid Act directed, appoint for ſuch Trials; at which Time and Place the ſaid Juſtices and Freeholders ſhould cauſe the ſaid Offender or Offenders, and Evidence, to come before them; and if they, on hearing of the Matter (the ſaid Freeholders being by the Juſtices firſt ſworn to judge uprightly and according to Evidence, which Oaths the ſaid Juſtices were by the ſaid Act impowered and required to adminiſter) ſhould judge the Criminal or Criminals guilty of the Offence complained of, they or the major Part of them, of whom one to be a Juſtice, as in all Trials within the ſaid Act, ſhould give Sentence of Death, Tranſportation, Diſmembering, or any other Puniſhment, as they in their Judgment ſhould think meet to inflict; and forthwith by their Warrant, cauſe immediate Execution to be done by the common or any other Executioner (Women with Child only excepted,

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Explanation of Act 38, Cl. XXVI.

II. And whereas a Conſpiracy has been lately formed by ſeveral Slaves in this Iſland, to deſtroy and deſert the Settlements and Plantations to which they belonged, and to murder their Maſters, Miſtreſſes, Overſeers, and many Families of white Perſons; and that there is Room to apprehend that a general Maſſacre of the white People was intended, in caſe the Conſpirators had ſucceeded in their firſt Attempts; and whereas in this, and in every Caſe of the like Nature, it may be neceſſary, for the publick Peace and Safety, that more than one of the Conſpirators ſhould ſuffer Death, and that none of them, eſpecially the Leaders, ſhould remain in this Iſland, where they would preſerve their bloody and rebellious Spirits; be it therefore further enacted and declared, That if any Negroe or other Slave or Slaves have, before the making of this Act, been engaged in any rebellious Conſpiracy, or have compaſſed and imagined the Death of any white Perſon or Perſons in this Iſland, or ſhall hereafter be engaged in any ſuch Conſpiracy, or ſhall compaſs and imagine the Death of any white Perſon, and be thereof attainted by open Deed, before Two Juſtices of the Peace and Three Freeholders, every ſuch Slave or Slaves ſhall ſuffer Death, Tranſportation, or any other Puniſhment which the ſaid Juſtices and Freeholders, or the major Part of them, in the ſame Manner as is directed by the ſaid recited Act, ſhall think neceſſary for the publick Welfare and Safety, although the bloody Purpoſes of ſuch Slave or Slaves be prevented before any Murder hath been or ſhall be committed; any thing in the ſaid Proviſo to the contrary in any wiſe notwithſtanding.

Slaves compaſſing or imagining the Death of a white Perſon, to ſuffer Death.

III. And whereas Slaves have been tried, before the making of this Act, for compaſſing and imagining the Death of White Perſons, purſuant to the ſaid *Act for the better Order and Government of Slaves*; and the Juſtices and Freeholders have given Sentence of Death againſt more Slaves than one, for one and the ſame Offence, and have ordered others to be tranſported, and the ſaid Slaves have been executed and tranſported accordingly; it is hereby enacted and declared, That the ſaid Trials, Sentences, Executions, and Proceedings were and are juſt and legal.

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IV. And be it further enacted by the Authority aforeſaid, That for all other capital Offences whatſoever, committed by Negroe or other Slaves after the paſſing this Act, it ſhall and may be lawful for the Juſtices and Freeholders, before ſuch Negroe or other Slaves ſhall be tried, to put to ſuch Death as to the ſaid Juſtices and Freeholders ſhall ſeem expedient, ſuch, and ſo many of ſuch Negroe or other Slaves convicted before them of any capital Crime, as they ſhall think convenient for the publick Safety; or to tranſport ſuch Slave or Slaves, or inflict ſuch other Puniſhment upon them as in their Diſcretion they ſhall think fit; any thing in the ſaid former recited Proviſo to the contrary notwithſtanding.

Juſtices and Freeholders diſcretionary Power.

V. And whereas the late deteſtable Conſpiracy was diſcovered by a Negroe Man-Slave, named *Hector*, belonging to *Thomas Fuller*, Eſq; whereby the Execution of the ſaid Conſpiracy hath been happily prevented; be it therefore enacted by the Authority aforeſaid, That the ſaid Negroe, named *Hector*, be immediately, from and after the paſſing of this Act, manumiſed and ſet free, and he is hereby manumiſed and ſet free from all Manner of Slavery whatſoever; and that *Murray Crimble*, or the Receiver-General for the Time being, do immediately pay to the ſaid Negroe the Sum of Thirty Pounds; and do alſo, on the Sixth of *December* annually, during the Life of the ſaid Negroe, pay to him the like Sum of Thirty Pounds; and that the ſaid *Murray Crimble*, or the Receiver-General for the Time being, do alſo pay to the ſaid *Thomas Fuller* the Sum of One hundred Pounds, in full Satisfaction for the ſaid Negroe.

Hector made free.

An Act to regulate the ſelling of Gun-powder, and to prevent the ſelling of Fire-Arms to Slaves.

Act 142.

WHEREAS, by the Sale of Gunpowder without Reſtriction, it often falls into the Hands of Negroe and other Slaves, which may prove of pernicious Conſequence to the Inhabitants of this Iſland, if not timely prevented; may it pleaſe your Moſt Excellent Majeſty that it may be enacted; be it therefore enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland, and it is hereby enacted by the Authority of the ſame, That no Perſon whatſoever within this Iſland ſhall, after the One and Twentieth Day of *February* next, ſell, or otherwiſe diſpoſe of by Retail, in any Quantity leſs than Twelve Pounds Weight, any Sort of Gunpowder to any Perſon whatſoever within this Iſland, (except as herein after is excepted) before ſuch Perſon ſhall have firſt obtained a Licence, under the Hand and Seal of the Governor or Commander in Chief for the Time being; which Licence is not to be granted but upon a Certificate from the Juſtices and Veſtry of the Pariſh where ſuch Perſon reſides, that he is duly qualified, and fit to be truſted with the Sale of ſuch Powder; which Certificate ſhall be recorded in the Secretary's Office before ſuch Licence ſhall be granted; and ſuch Perſon or Perſons, obtaining ſuch Licence or Licences as aforeſaid, ſhall be obliged, before he or they ſhall vend, ſell, or diſpoſe of any Powder, to take the following Oath before a Juſtice of the Peace of the Precinct where he or they reſide, *viz.*

No Perſon to ſell under 12 lb. of Gun-powder, without a Licence.

I A. B. *do ſwear, That I will not vend, ſell, or diſpoſe of, or ſuffer any Perſon or Perſons in my Service or Employ, or under my Command, to vend, ſell, or diſpoſe of any Gunpowder to any White Perſon or Perſons, not knowing them to be Houſe-keepers, unleſs ſuch Perſon or Perſons ſhall have a Certificate from ſome Juſtice of the Peace of the Precinct where he or they ſhall reſide, or Commiſſion-Officer of the Company or Troop of Militia to which he or they belong, that they are Perſons proper to be entruſted with the ſame; and that I will not vend, ſell, diſpoſe of, or deliver or ſuffer to be vended, ſold, diſpoſed of, or delivered to any free Mulatto, Negroe, or* Indian, *any Powder without a Certificate from the Captain of the Company in the Precinct to which he belongs; and that I will not vend, ſell, diſpoſe of, or deliver, or ſuffer to be vended, ſold, diſpoſed of, or delivered, any Powder, to any Mulatto, Negroe, or* Indian *Slave, upon any Pretence whatſoever.*

So help me God.

The Oath to be taken by thoſe licenſed.

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And that no Perſon ſhall have a Licence granted unto him or them, for the Sale of Powder, as aforeſaid, without firſt becoming bound to our Sovereign Lord the King in a Bond, with ſufficient Surety or Sureties, in the Secretary's Office of this Iſland, in the Sum of Five hundred Pounds, for the due Performance of the ſaid Truſt, agreeable to the ſaid Oath; and that there ſhall not be Licences granted to more than one Perſon in each of the three Towns of St. *Jago de la Vega*, *Port Royal*, and *Kingſton*, where Powder ſhall be ſold by Retail as aforeſaid only, (except as herein after is excepted;) and for each of which Licences the Perſon or Perſons to whom they are granted ſhall pay for the ſame, together with the Bond, to the Secretary of this Iſland, the Sum of Fifteen Shillings, and no more; and that no Perſon or Perſons whatſoever, not having a Licence as aforeſaid, ſhall vend, ſell, diſpoſe of, or deliver any Gunpowder by Retail in a Quantity leſs than Twelve Pounds Weight, (except as herein after is excepted) under the Penalty of Fifty Pounds, and of ſuffering Six Months Impriſonment, without Bail or Mainprize.

Licenſed Perſons to give 500 l. Security.

One Retailer in each Town.

II. And be it enacted by the Authority aforeſaid, That if any Perſon whatſoever ſhall, Ten Days after the paſſing of this Act, ſell to any Negroe, or other Slave, any Gun-powder, every ſuch Perſon ſhall forfeit the Sum of Fifty Pounds, and ſhall ſuffer Six Months Impriſonment; and if any Perſon, having a Licence to ſell Powder, ſhall ſell to any Negroe, or other Slave, any Quantity of Gun-powder, after the above limited Time, every ſuch Perſon, over and above the ſaid Forfeiture and Impriſonment, ſhall be guilty of wilful and corrupt Perjury, and be puniſhed accordingly.

50 l. Penalty for ſelling Gun-powder to Negroes;

III. And be it further enacted by the Authority aforeſaid, That no Perſon whatſoever ſhall, Ten Days after the paſſing this Act, ſell to any Slave or Slaves any Gun, Piſtol, or other Fire-Arms, under the Penalty of forfeiting Fifty Pounds, and of ſuffering Six Months Impriſonment.

or Fire-Arms.

IV. And be it further enacted by the Authority aforeſaid, That the Perſon ſo licenſed to ſell Powder and Ammunition in any of the Three Towns, ſhall, in order to prevent any Dangers that may happen, be obliged to put and keep all his Powder, except the Quantity of Two Barrels at a Time, in the Magazines; and the Captain of the Fort, and all others that have the Cuſtody of the ſaid Magazines, or any of them, are hereby obliged and required to receive and keep the ſaid Powder, and deliver out the ſame as Occaſion ſhall require, under the Penalty of One hundred Pounds; for which he ſhall have and receive from the Owner at and after the Rate of Two Shillings and Six-Pence *per* Barrel.

Retailers to keep all their Powder, except 2 Barrels, in the Magazine.

V. And to prevent ſuch Perſons to whom ſuch Licences ſhall be granted, as aforeſaid, from extorting or demanding a larger Price than what is common and uſual for Gun-powder; be it enacted by the Authority aforeſaid, That they, or any of them, ſhall not demand or receive any greater Prices than ſuch as ſhall from Time to Time be ſettled by the Juſtices and Veſtries of the ſaid reſpective Towns, or the major Part of them, for the beſt Piſtol-powder, under the Penalty of Forty Shillings for every ſuch Offence; to be recovered upon the Oath of any One White Perſon, before any of his Majeſty's Juſtices of the Pariſh where the Offence ſhall be committed; one Half whereof ſhall be to the Informer, and the other Half to the Poor of the Pariſh where the Offence ſhall be committed; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Price of Gunpowder to be ſettled by the Juſtices and Veſtries.

Proviſo.

VI. Provided always, and be it nevertheleſs excepted and further enacted, That it ſhall and may be lawful for the Commanding-Officer of each Pariſh, or the Captain or Commanding-Officer of each Troop or Company belonging to any of the Regiments of Militia within this Iſland, to ſell to any Perſon or Perſons belonging to his or their Regiment, Troop, or Company, any Quantity of Powder not exceeding Two Pounds at any one Time.

Recovery of Fines.

VII. And be it enacted by the Authority aforeſaid, That all Penalties in this Act mentioned, exceeding Forty Shillings, and not ſaid how they ſhall be recovered, ſhall be recovered in his Majeſty's Supreme Court of Judicature of this Iſland, by Action of Debt, Bill, Plaint, or Information; wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed, or *Non vult ulterius proſequi* be entered; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding;

ing; one Half of which Penalties or Forfeitures ſhall go to his Majeſty, his Heirs and Succeſſors, for the contingent Charges of the Government of this Iſland; and the other Half to him or them who ſhall ſue for the ſame. 1744.

VIII. And be it further enacted by the Authority aforeſaid, That the Secretary of this Iſland do forthwith cauſe this Act to be printed, and Copies thereof tranſmitted to the Juſtices and Veſtries of the reſpective Pariſhes in this Iſland; and do alſo forthwith cauſe a Copy thereof to be fixed up in the moſt noted Place of each of the ſaid Three Towns.

An Act to impower Alexander Inglis, *Clerk, Rector of the Pariſh of St.* Andrew, *and all future Rectors of the ſaid Pariſh, to grant Leaſes of Part of the Glebe Lands belonging to the ſaid Rectory, for a Number of Years certain.* 1745.

Act 143. WHEREAS *Alexander Inglis*, Clerk, Rector of the Pariſh of St. *Andrew*, in this Iſland, is ſeiſed in Right of his Rectory of a certain Piece or Parcel of Land, ſituated, lying, and being in the ſaid Pariſh, containing, by Eſtimation, Six hundred Acres, or thereabouts; which ſaid Piece or Parcel of Land is now, and hath for many Years laſt paſt been called and known by the Name and Denomination of the Glebe Land of the ſaid Pariſh of St. *Andrew*: And whereas great Part of the aforementioned Parcel of Land lies far from the Church, and the Rector of the ſaid Pariſh can have little or no Benefit therefrom, except the ſame be rented out: And whereas near one Third Part of the ſaid Land is now waſte, unincloſed and untenanted, and of no Manner of Advantage to the ſaid Rector, and is, without the Interpoſition of the Legiſlature, likely ſo to remain and continue; and the other Part thereof is leaſed out at an Under-Rate, by Reaſon that the Rector of the ſaid Pariſh hath no Power or Authority by Law to leaſe or demiſe the ſaid afore-mentioned Premiſſes, or any Part thereof, for a longer Time than he ſhall continue Rector there; and all Leaſes by him granted expire at his Death, or other ſooner Determination of his Incumbency; whereby all Perſons are diſcouraged from renting and improving the Waſte Lands, from the Precarioufneſs and Uncertainty of the Term which they have or can have therein; and the Tenants of thoſe already rented, for the ſame Cauſe, are unwilling to make thoſe Improvements, by Building and otherwiſe, which they would be induced and inclined to do, in caſe their Term was certain: And whereas the giving a Power to the ſaid *Alexander Inglis*, and all future Rectors of the ſaid Pariſh, to leaſe the greateſt Part of the Lands for a Number of Years certain, provided the ſame was done at the beſt improved Rent that could be got for ſuch Lands, would be of great Advantage to the ſaid *Alexander Inglis*, and his Succeſſors, Rectors of the ſaid Pariſh, to the Tenants who now occupy any Part of the ſaid Lands, and likewiſe to the Community, as it would be a Means of cultivating ſome Lands now lying waſte and of no Uſe, and of the further and better improving others, and could be of no Prejudice to any Perſon or Perſons whatſoever; we therefore, your Majeſty's moſt dutiful and loyal Subjects, the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, at the humble Petition of the ſaid *Alexander Inglis*, do moſt humbly beſeech your Majeſty that it may be enacted; and be it enacted by the Governor, Council, and Aſſembly of this Iſland, and by the Authority of the ſame, That for the Time to come, it ſhall and may be lawful to and for the ſaid *Alexander Inglis*, Clerk, Rector of the ſaid Pariſh of St. *Andrew*, and all who ſhall be Rectors thereof in Time to come, to grant Leaſes of the afore-mentioned Piece or Parcel of Land, or any Part thereof, except ſuch Part thereof as is herein after exceped, for any Number of Years certain, not exceeding One and Twenty Years; which Leaſes ſo to be granted ſhall continue in full Force and Effect, and be valid for the holding the ſaid Land, or ſuch Part thereof as ſhall be included in ſuch Leaſes for the Terms in the ſaid Leaſes mentioned, notwithſtanding the Death or other Determination

Rectors to grant Leaſes for 21 Years.

1745. mination of the Incumbency of the ſaid *Alexander Inglis*, or any of his Succeſſors, granting the ſame; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Proviſo. II. Provided always, That the beſt improved Rent that can be got for ſuch Lands ſo to be granted, be reſerved in the ſaid Leaſes for the Benefit of the Rector granting the ſame, and his Succeſſors; and that no Conſideration whatſoever, other than the ſaid Rent, be given, granted, allowed, or taken for the ſame.

III. And it is hereby further enacted by the Authority aforeſaid, That the ſaid *Alexander Inglis*, and all future Rectors of the ſaid Pariſh, ſhall not in any Caſe, or upon any Pretence whatſoever, take or receive, or ſuffer to be taken or received, by any Perſon or Perſons, for his or their Uſe and Benefit, any Fine, Fee, Reward, Sum of Money, or Conſideration for the granting ſuch Leaſes, other than the Rent reſerved in ſuch Leaſes payable to the Rector granting ſuch Leaſes, and his Succeſſors, under the Penalty of forfeiting treble the Value of ſuch Fine, Fee, Reward, Sum of Money, or Conſideration, (other than the Rent reſerved as aforeſaid) ſo taken and received; and likewiſe of a further Sum of Fifty Pounds to him or them who ſhall ſue for the ſaid Penalties, and the Leaſes ſo granted, for or by Reaſon or upon Account of any ſuch Fine, Fee, Reward, Sum of Money, or Conſideration, other than the Rent reſerved, ſhall be *ipſo facto* void; and the Land ſo corruptly leaſed, or intended to be leaſed, ſhall go to and be veſted in the Juſtices and Veſtry of the ſaid Pariſh, and their Succeſſors; to be by them rented out, or otherwiſe diſpoſed of at their Diſcretion, for the Benefit of the Poor of the ſaid Pariſh, during the Life of the Rector, taking ſuch Fine, Fee, Reward, Sum of Money, or Conſideration, other than the Rent reſerved; and the ſaid Rector, for ſuch his Offence, ſhall for ever after be deprived from granting any more Leaſes of the ſaid Land, or any Part thereof; and if he doth, after ſuch Offence, grant any Leaſes thereof, they ſhall be utterly void.

Leſſor not to take any Fine.

Penalty.

IV. And be it further enacted by the Authority aforeſaid, That the ſaid *Alexander Inglis*, and all future Rectors of the ſaid Pariſh, ſhall not grant any Leaſes of any Part of the ſaid Land which is now granted or leaſed out, or which hereafter ſhall be granted or leaſed out, until the Leaſes already granted, or which hereafter ſhall be granted by virtue of this Act, ſhall be expired, ſurrendered, or otherwiſe determined; and if they ſhall grant ſuch Leaſes before ſuch Expiration, Surrender, or other Determination of the Leaſes now in being, or which ſhall be in being, ſuch Leaſes ſhall be utterly void and of no Effect.

New Leaſes not to be granted till the old are expired.

V. And be it further enacted by the Authority aforeſaid, That the ſaid *Alexander Inglis*, and all future Rectors of the ſaid Pariſh, before he or they ſhall grant any Leaſes by virtue of this Act, ſhall appear before the Juſtices and Veſtry of the ſaid Pariſh, and take the following Oath:

Oath to be taken by Rectors granting Leaſes.

I A. B. *Rector of this Pariſh of St.* Andrew, *do ſwear, That I will not, during the Time I ſhall continue Rector of the ſaid Pariſh, take or receive, or ſuffer to be taken or received, by any Perſon or Perſons for my Uſe and Benefit, any Fine, Fee, Reward, Sum of Money, or Conſideration, of and for granting Leaſes of the Glebe Land of the ſaid Pariſh, other than the Rent which ſhall be reſerved in the ſaid Leaſes, payable to me and my Succeſſors; and that in granting ſuch Leaſes I will do nothing willingly that may be a Prejudice to my Succeſſors.* So help me God.

Which Oath ſhall be entered and recorded in the Veſtry-Book, and ſhall be ſubſcribed by the Perſon taking the ſame.

Land excepted.

VI. And whereas a certain Part of the aforementioned Parcel of Land, now in the Occupation of *John Flen Barnett*, bounding North on the *Old Church-Yard*, Eaſterly on the *Glebe*, South upon Land formerly of *Reeves* and *Truxton*, Weſterly and North-weſterly on *Thorn* and *Glebe Land*, containing by Eſtimation Thirty Acres, be the ſame more or leſs, may be of Uſe to the ſaid *Alexander Inglis*, and to the future Rectors of the ſaid Pariſh, for the Depaſturage of his and their Cattle, and the Maintenance of his and their Families; be it therefore further enacted by the Authority aforeſaid, That the ſaid next immediately aforementioned

mentioned Part of the ſaid Land ſhall be excepted out of this Act, and ſhall not be leaſed otherwiſe, or for a longer Time than if this Act had never been made. 1745.

An Act to prevent Abuſes committed by entertaining, concealing, or carrying off this Iſland, any of his Majeſty's Soldiers belonging to any of the Regiments that now are, or hereafter ſhall be in this Iſland; or any of the Seamen, or others belonging to any of his Majeſty's Ships or Veſſels of War on this Station.

ACT 144.

WHEREAS great Abuſes have been of late committed by carrying off this Iſland, and by ſeducing and entertaining ſeveral of his Majeſty's Soldiers belonging to the Regiment and Companies of this Iſland, and alſo ſeveral of the Seamen and others belonging to his Majeſty's Ships and Veſſels of War on this Station; whereby ſuch Ships and Veſſels of War, as alſo the Regiment and Companies of this Iſland, have been often found deficient of their reſpective Complements of Men, which has often proved an Inconvenience and Hindrance to his Majeſty's Service on ſeveral Occaſions, and may, if not timely prevented, in the End be of fatal Conſequence to this Iſland, and the Inhabitants thereof, in caſe of any foreign Invaſion, or ſudden Inſurrection of Negroes; for preventing which dangerous Practices, and the Miſchiefs that might ariſe thereby, ſeveral Acts of the Legiſlature of this Iſland have been made and paſſed; but by Reaſon the Letter of the ſaid Acts only extended to the then ſeveral Independent Companies of this Iſland, the good Deſign and Intention of the ſaid Laws may in a great meaſure be fruſtrated, and the Force and Penalties thereof be evaded, by means of the ſaid ſeveral Independent Companies being now incorporated and made a Regiment: For ſupplying therefore the ſaid Defect in the ſaid former Laws, and for preventing the Miſchiefs that may ariſe thereby, may it pleaſe your moſt Excellent Majeſty that it may be enacted; and be it enacted by your Majeſty's Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted and ordained by the Authority of the ſame, That from and after the paſſing of this Act, no Perſon whatſoever ſhall detain, hire, conceal, employ, or entertain on Board or on Shore, or carry off, or attempt to carry off this Iſland, either as a Sailor or Paſſenger, or upon any other Pretence whatſoever, any Soldier belonging, or that ſhall hereafter belong, to the Regiment that now is, or to any Regiment that ſhall hereafter arrive or be in this Iſland, without a Diſcharge from the Captain of the reſpective Company he belongs to; nor any Seaman or other Perſon, belonging, or ſhall hereafter belong, to any of Majeſty's Ships or Veſſels of War, employed or to be employed on this Station, without a Diſcharge from the Commanding-Officer, or Captain of the Ship or Veſſel ſuch Seaman or other Perſon belongs or did belong to, under the Penalty of Fifty Pounds for every ſuch Offence; to be recovered in the Supreme Court of Judicature of this Iſland, by Action of Debt, Bill, Plaint, or Information; wherein no Eſſoin, Protection, Injunction, Imparlance, *Non vult ulterius proſequi*, or Wager of Law ſhall be allowed or granted; any thing in this, or any other Act to the contrary in any wiſe notwithſtanding.

No Perſon to entertain, hire, or carry off Soldiers or Sailors belonging to his Majeſty.

Penalty.

II. AND be it further enacted by the Authority aforeſaid, That the Perſon ſo carried off, or attempted to be carried off, detained, hired, employed, or entertained, ſhall be Evidence againſt the Perſon ſo offending, as aforeſaid; and one Moiety of the Penalties in this Act mentioned, and ſo to be recovered as aforeſaid, ſhall be to the Uſe of his Majeſty, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Moiety to the Informer, or him, her, or them who ſhall ſue or proſecute for the ſame; any thing in this Act, or any other Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Soldiers, &c. employed or carried off, to have Half the Fine for informing.

III. AND be it further enacted by the Authority aforeſaid, That the Secretary of this Iſland do, immediately after the paſſing of this Act, cauſe the ſame to be printed, and Copies thereof to be fixed up at the moſt noted Places in the

1745. Three Towns of St. *Jago de la Vega*, *Port Royal*, and *Kingſton*; the Charge whereof ſhall be allowed him by the Receiver-General out of any Money in his Hands unappropriated. And this Act ſhall continue in Force for one Year, and no longer.

1747. *An Act for amending and perpetuating an Act, entituled*, An Act for the more effectual preventing of Gaming, and Suppreſſion of Lotteries.

Act 145. WHEREAS the Act, entituled, *An Act for the more effectual preventing of Gaming, and Suppreſſion of Lotteries*, paſſed the Ninth Day of *July*, in the Year of our Lord One thouſand ſeven hundred and forty-four, is near expiring; and whereas it is for the publick Good that the ſaid Act ſhould be continued and amended; may it therefore pleaſe your moſt Excellent Majeſty, that it may be enacted: Be it therefore enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted by the Authority of the ſame, That the ſaid Act, entituled, *An Act for the more effectual preventing of Gaming, and Suppreſſion of Lotteries*, be, and the ſame and every Clauſe, Article, Matter and Thing therein contained, is, and are hereby continued and declared perpetual; any Thing in the ſaid Act to the contrary notwithſtanding.

Act 136 made perpetual.

II. And whereas divers Tavern-keepers, and other Retailers of Liquors, with Intent to evade the ſaid recited Law, have kept and maintained Billiard-Tables, and Shovel-board Tables, in Out-houſes, and other Rooms and Apartments adjoining to, or at a ſmall Diſtance from their ſeveral Dwellings; and have lent and let, or hired out ſuch Out-houſes, Rooms and Apartments, to evil-diſpoſed Perſons, who have, under Pretence of ſuch Leaſe or Lending, continued openly to play, and invite and encourage others to play at the ſaid reſpective Games of Billiards and Shovel-boards; be it therefore further enacted by the Authority aforeſaid, That from and after the Firſt Day of *Auguſt*, in the Year of our Lord One thouſand ſeven hundred and forty-ſeven, upon Oath made before any one or more Juſtice or Juſtices of the Peace, of any Billiard-Table, or Shovel-board Tables being erected, ſet up, let out by, or kept erected or ſet up in any Houſe, Out-houſe or Place, in the Occupation or Poſſeſſion of any Tavern-keeper, or other Retailer of Liquors in any Pariſh in this Iſland, or in the Poſſeſſion or Occupation of any Under-tenants of ſuch Tavern-keepers or Retailers of Liquors; or upon the View of ſuch Juſtice or Juſtices, ſuch Juſtice or Juſtices is, and are hereby directed and required, under the Penalty of Fifty Pounds, forthwith to iſſue his or their Warrant, under his or their Hand, to any Conſtable of the Pariſh where ſuch Billiard-Table or Shovel-board Table is, or ſhall be erected, ſet up, let out, or kept, thereby commanding him or them to ſeize, take, and carry away ſuch Billiard or Shovel-board Table, and to ſell and diſpoſe thereof at publick Outcry, in the moſt noted Part of the Pariſh where the ſame ſhall be taken and ſeized, giving three Days Notice of ſuch Sale; and the Money ariſing by the Sale thereof (deducing Five Shillings in the Pound for the Trouble and Charges of the Conſtable attending the ſaid Seizure and Sale) to pay to the Church-warden or Church-wardens of the Pariſh where ſuch Seizure ſhall be made, or the Chief Magiſtrate, where no Church-warden is, for the Uſe of the Poor of the ſame Pariſh.

Juſtices to iſſue Warrants for ſeizing Billiard-Tables, &c. and ſell them at publick Outcry.

Perſons keeping Gaming-Houſes rendered incapable of retailing Liquor, &c.

III. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons convicted of keeping a Gaming-Houſe upon the ſaid recited Act, ſhall be a Tavern-keeper or Tavern-keepers, Retailer or Retailers of Rum, or other Liquors in this Iſland, ſuch Perſon or Perſons, and all and every the aforeſaid Tavern-keepers or Retailers of Liquors, in whoſe Poſſeſſion or Keeping any Billiard or Shovel-board Table ſhall be found erected and ſet up, or by whom the ſame ſhall be let out, as aforeſaid, ſhall be, and they are hereby declared ever after incapable of ſelling any kind of Liquors, or of obtaining, having, or keeping any Licence for that Purpoſe; and ſhall be, and they are hereby declared, and from

from thenceforth ſubject and liable to all ſuch Pains, Penalties and Forfeitures, as Perſons ſelling or retailing Liquors without Licence, are or ſhall be by Law ſubject and liable to. 1747.

IV. And be it further enacted by the Authority aforeſaid, That the Secretary of this Iſland do cauſe this Act to be printed, and Twelve Copies thereof to be tranſmitted to the *Cuſtos Rotulorum* of each of the Pariſhes in this Iſland; one of which ſhall be read at every Quarter-Seſſions of the Peace, to be holden for each of the ſaid Pariſhes, and at the Head of every Company in the Militia as often as they ſhall be called together, for the Space of one Year next after the paſſing of this Act.

An Act to enable the Juſtices and Veſtry of the Pariſh of St. Catharine, *to keep clean Part of the* Savannah *Land, to be a Common for the ſaid Pariſh; and to make Leaſes of the Remainder for the Benefit of the Pariſh; and for authorizing and impowering the Juſtices of the ſaid Pariſh to lay a Tax on the Inhabitants of the Town of St.* Jago de la Vega, *for repairing the Roads and Streets uſually mended by the ſaid Town; and for authorizing the Juſtices and Veſtry of the Town, and Pariſh of* Kingſton, *to lay ſuch Tax for the amending the Roads and Streets in the ſaid Town and Pariſh.*

Act 146.

WHEREAS a certain Quantity or Run of Land, containing, by Eſtimation, Twelve hundred and Ten Acres, was heretofore, that is to ſay, on the Thirtieth Day of *November*, in the Twenty-ſecond Year of the Reign of his late Majeſty King *Charles* the Second, patented by *Thomas Ballard*, *Hender Moleſworth*, *Edmund Duck*, *William Mullins*, *John Noy*, and *Humphrey Freeman*, Eſquires, as Truſtees for the Inhabitants of the Town of St. *Jago de la Vega*, and for their Uſe and Benefit, as by the ſaid Patent, now of Record in the Secretary's Office of this Iſland, may appear; and whereas afterwards, that is to ſay, on the Thirteenth Day of *June*, in the Year of our Lord One thouſand ſix hundred and eighty-ſeven, another certain Parcel or Run of Land, containing, by Eſtimation, Thirty-four Acres, but ſince found, upon a Re-ſurvey, to contain no more than Twenty-five Acres, was patented by *Fulke Roſe* and *Thomas Ballard*, Eſquires, Church-wardens of the Pariſh of St. *Catharine*, in the Name of the ſaid Pariſh, and for the ſole Uſe and Benefit thereof; which ſaid two Parcels do make in the whole Twelve hundred and thirty-five Acres; and whereas the ſaid Lands being contiguous or adjoining to the ſaid Town of St. *Jago de la Vega*, and ſituate on or towards the South and Weſt and North Sides thereof, were originally deſigned and intended to be and remain as an open *Savannah* or Common to the ſaid Town; and whereas the ſaid Run of Land, for want of due Care in opening and clearing the ſame, is now become rather a Nuſance than a Benefit to the ſaid Town, being almoſt overgrown with Shrubs and Buſhes, whereby the ſaid Town is rendered leſs healthy than it would be if the ſaid *Savannah* was kept clean and open; and whereas the ſaid Inconveniencies have ariſen chiefly from the Want of a Power in the Juſtices and Veſtry of the ſaid Pariſh to lay a Tax, and allot Negroes from Time to Time to open and clean the ſaid *Savannah*; and whereas the clearing and keeping open the whole Quantity of Land aforeſaid, of Twelve hundred and thirty-five Acres, would be too great a Charge and Burden on the ſaid Pariſh, and Five hundred Acres, if properly cleaned and taken Care of, would be ſufficient for a Common or *Savannah* to the ſaid Town, and the Remainder might in Time become a conſiderable Advantage and Benefit to the ſaid Pariſh, if the ſaid Juſtices and Veſtry were impowered to leaſe or rent the ſame: For Remedy therefore of the Inconveniencies aforeſaid, and for the better anſwering and fulfilling the Intention and Deſign of granting and patenting the ſaid Lands, we your Majeſty's moſt dutiful and loyal Subjects, the Aſſembly of this your Majeſty's Iſland of *Jamaica*,

1747. *maica*, do humbly beſeech your Majeſty, that it may be enacted; and be it enacted by the Governor, Council, and Aſſembly, and it is hereby enacted by the Authority of the ſame, That the Juſtices and Veſtry of the ſaid Pariſh of St. *Catharine* ſhall, within one Year after the paſſing hereof, cauſe Five hundred Acres, being Part of the ſaid Run of Twelve hundred and thirty-five Acres, to be meaſured off and laid out for a *Savannah* or Common to the ſaid Town; provided that the ſaid Five hundred Acres, ſo to be laid out as aforeſaid, ſhall be ſuch Part of the ſaid Twelve hundred and thirty-five Acres, as is contiguous or neareſt adjoining to the ſaid Town, on the ſeveral Sides thereof.

500 Acres to be laid out for a Common.

II. And be it further enacted by the Authority aforeſaid, That as ſoon as the ſaid Quantity of Five hundred Acres ſhall be ſo meaſured off or laid out as aforeſaid, and the Bounds and Limits thereof fixed and aſcertained, the Juſtices and Veſtry of the ſaid Pariſh ſhall lay a diſtinct and ſeparate Tax on the Inhabitants of the ſaid Pariſh, for the clearing, cleaning, and opening of the ſame, and putting it in a proper Condition to anſwer the Ends and Purpoſes aforeſaid; which ſaid Tax ſhall be collected and levied in the ſame Manner, and by the ſame Perſons, and with the ſame Power of Diſtreſs for Non-payment thereof, as other parochial Taxes are raiſed and levied, and when received, the ſame ſhall be paid into the Hands of the Church-wardens for the Time being, or one of them, and by him or them iſſued, by the Order and Direction of the Juſtices and Veſtry for the Time being, to the Uſe and Purpoſe aforeſaid, and to no other: And in laying and raiſing the ſaid Tax, the ſaid Juſtices and Veſtry ſhall have particular Regard to ſuch Perſons as keep and feed Cattle on the ſaid *Savannah*, to tax or rate them in Proportion to the Advantage or Benefit which they ſhall be judged to make thereby. Provided nevertheleſs, That if any Perſon or Perſons ſhall think themſelves aggrieved by the ſaid Tax, he or they ſhall have Liberty of applying to the Magiſtrates or Juſtices, at their firſt or ſecond Quarterly Seſſions of the Peace for the ſaid Pariſh or Precinct, after the laying of the ſaid Tax, who are hereby impowered and directed to hear and determine all ſuch Complaints, without further Appeal.

A Tax to be laid for cleaning the Common.

III. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Juſtices and Veſtry of the ſaid Pariſh, and they are hereby impowered and directed to allot or hire a ſufficient Number of Negroes to clear and open the ſaid *Savannah*, and a white Perſon or Perſons to overſee the ſaid Negroes, and to purchaſe Utenſils for carrying on the ſaid Work; and effecting the ſame, or to contract with any Perſon or Perſons for doing the ſame; and to defray the Expence thereof out of the Money that ſhall ariſe from the Tax to be impoſed by virtue of this Act.

Juſtices and Veſtry impowered to allot Negroes, &c. for clearing the *Savannah*;

IV. And it is hereby further enacted, That the Juſtices and Veſtry of the ſaid Pariſh for the Time being ſhall, from Time to Time, and at all Times hereafter, as often as the ſaid *Savannah* or Common ſhall require to be opened and cleaned, lay ſuch diſtinct and ſeparate Tax, as aforeſaid, for opening and cleaning thereof; and ſhall cauſe the ſame to be done forthwith, and in the moſt effectual Manner: And if the ſaid Juſtices and Veſtry ſhall refuſe or neglect to cauſe the ſaid *Savannah* or Common to be ſo laid out, cleared and opened, as aforeſaid, for the Space of one Year after the paſſing of this Act; then, and in ſuch Caſe, it ſhall and may be lawful for the Juſtices of the ſaid Pariſh and Precinct, at their Quarter-Seſſions, to lay ſuch Tax or Aſſeſſment as aforeſaid, for the clearing and opening the ſaid *Savannah*, and to exerciſe all ſuch Powers as are hereby granted to the Juſtices and Veſtry, for the Ends and Purpoſes as aforeſaid.

to lay a Tax whenever the Common wants cleaning;

V. And be it further enacted by the Authority aforeſaid, That as to ſuch Part of the ſaid Twelve hundred and thirty-five Acres as ſhall remain after the ſaid Five hundred Acres ſhall be meaſured off, and laid out for a Common as aforeſaid, it ſhall and may be lawful for the Juſtices and Veſtry, for the Time being, to leaſe or rent out the ſame for the Uſe and Benefit of the ſaid Pariſh, either in Whole or in Parcels, to ſuch Perſon or Perſons, upon ſuch Covenants and Conditions, and with ſuch Security for the Performance as they ſhall judge proper; and likewiſe to diſtrain for the Rent thereof, or to commence and proſecute any Suit or Suits at Law, or in Equity, for the Recovery of the ſame, as ſhall be thought proper and neceſſary by the ſaid Juſtices and Veſtry.

to leaſe out the Remainder of the Common,

VI. And

VI. AND be it enacted by the Authority aforeſaid, That for the future it ſhall and may be lawful for the Juſtices and Veſtry of the ſaid Pariſh of St. *Catharine*, if they ſhall think proper; and they are hereby impowered to lay a Tax upon Houſes, whether rented or not rented, that are inhabited, and upon Trade and Negroes within the ſaid Town, for the repairing and amending the Streets and Roads that have been uſually repaired and amended by the Inhabitants of the ſaid Town; which ſaid Tax ſhall be collected, levied and paid, in the ſame Manner, and with the like Power of Diſtreſs for Non-payment, as the Tax commonly called the Pariſh-Tax is collected, levied, paid and diſtrained for. 1747. and lay a Tax for clearing the Avenues of the Town.

VII. AND be it alſo enacted by the Authority aforeſaid, That, for the future, it ſhall and may be lawful for the Juſtices and Veſtry of the Pariſh of *Kingston*, if they ſhall think proper; and they are hereby impowered to lay a Tax upon Houſes, rented and not rented, that are inhabited, and upon Trade and Negroes within the ſaid Town and Pariſh, for amending the Streets and Roads in the ſaid Town and Pariſh; which ſaid Tax ſhall be collected, levied and paid, in the ſame Manner, and with the like Power of Diſtreſs for Non-payment, as the Tax commonly called the Pariſh-Tax is collected, levied, paid and diſtrained for. Juſtices, &c. of *Kingston*, may lay a Tax for mending the Streets, &c.

An Act for the further regulating of the Service and Execution of Proceſs, and the Returns thereof, and other Purpoſes relating to the Service of Jurors, and rendering the ſame a more equal Duty.

ACT 147.

WHEREAS, for want of ſome proper Regulations, very great Inconveniencies and Miſchiefs ariſe from the Non-execution and Non-ſervice of Actions, Warrants, *Scire facias*, Executions, and *Venditioni's*, and other Proceſs, meſne and judicial, through the Neglect, wilful Default, Corruption and Connivance of the Deputy-Marſhal's acting under the Provoſt Marſhal-General here in their ſeveral Diſtricts; and as no Proceſs of Outlawry hath ever been in Uſe in this Iſland, to compel Perſons to appear and anſwer in any Cauſes Criminal or Civil, there is the ſtronger Neceſſity for a careful and diligent Service, and Execution of Actions, Writs and Warrants for that Purpoſe; and whereas divers other Regulations are neceſſary for the making the Proceſs of the Law more effectual and beneficial to the Publick, and with regard to the Execution of Writs of Partition, and Returns of Jurors to ſerve in the Supreme Court of Judicature of this Iſland: May it pleaſe your Majeſty, that it may be enacted; and be it enacted by the Governor, Council, and Aſſembly, That where any Action, Warrant, Writ of *Scire facias*, Execution, or *Venditioni*, or any Precept thereon, is delivered or ſent by the Provoſt Marſhal-General here to any of his Deputies, in order that he ſhould ſerve or execute the ſame, that ſuch Deputy-Marſhal ſhall return ſuch Action, Warrant, Writ of *Scire facias*, Execution, or *Venditioni*, or the Precept thereon, in convenient Time, for returning the ſame to the Provoſt Marſhal General here; and if it ſhall happen, that ſuch Deputy-Marſhal hath not ſerved or executed the ſame, but ſhall return Proceſs, or *Non eſt inventus*, or *Tarde*, or any other Return to any Action, Warrant, or *Scire facias* ſignifying the ſame, hath not been ſerved or executed, or *Nulla bona* to any Execution, or *Venditioni*, or Precept thereon ſo delivered or ſent to him as aforeſaid, ſuch Deputy-Marſhal is hereby required and directed, with every ſuch Return to add, and expreſs in Writing on the Back of ſuch Action, Warrant, or *Scire facias*, Execution, *Venditioni*, or Precept, or in a particular Schedule to be annexed to the ſame, the particular Reaſons for his making ſuch Return, in ſome ſuch Manner and Form as follows, *viz.* (in caſe an Action, Warrant, or *Scire facias*, or Precept thereon be returned Proceſs, *Tarde*, or *Non eſt inventus*) "That the within or annexed Action or Summons, Warrant, Writ, or Precept thereon, came to his Hands but " Days (expreſſing the Number) before the Return, that " it was impracticable for him, for that Reaſon, to ſerve, or cauſe the ſame to " be ſerved, the Defendant living Miles, by Computation, from " his the ſaid Deputy's Reſidence;" if this ſhall be the Caſe, otherwiſe ſuch Reaſons to be expreſſed, as the Truth ſhall be, and is the Cauſe of making ſuch Deputy Marſhals to expreſs in Writing the Reaſons why they have not ſerved Writs, &c.

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Return; and in caſe of *Nulla bona* returned by ſuch Deputy-Marſhal, he ſhall then add, return and expreſs his particular Reaſons in Writing for making that Return on the Back of ſuch Execution, or *Venditioni*, or Precept thereon, in Manner and Form as follows, *viz.* "That the Defendant hath no Negroes, Goods "or Chattels in his Diſtrict, to his Knowledge, or which he has received any "Information of, whereupon he could make a Levy, as required by the ſaid "Writ or Precept, or that the Defendant (if the Caſe ſo ſhall be) on his the "ſaid Deputy's going to his Plantation or Dwelling, ſtood on his Defence, ſo that "he could not execute ſuch Writ or Precept;" or return ſuch other particular Reaſons, as the Truth ſhall be, of the Cauſe of not executing ſuch Writ or Precept, and of his making of ſuch Return, according to the true Intent and Meaning of this Act: And the Provoſt Marſhal-General here is hereby alſo directed and required, in all Caſes where he ſhall return Proceſs, *Tarde*, *Non eſt inventus*, or *Nulla bona*, to any Actions, Warrants, Writs of *Scire facias*, Execution, or *Venditioni* (if the ſame, or any Precept thereon, ſhall have been delivered or ſent to any Deputy to ſerve or execute) carefully to file the Deputy-Marſhal's particular Reaſons, ſo to be returned as aforeſaid, of his the ſaid Deputy's Return, and for not ſerving or executing the ſame; which Reaſons ſo filed, are to remain Records, free for the Inſpection and Examination of all Perſons who ſhall deſire to ſee the ſame; and that upon any Complaint, the ſame, or any of them be produced by the Provoſt Marſhal-General here in Court, whenever any Order of the Court ſhall be made for that Purpoſe, that it may appear to the Court that ſuch Return and Non-ſervice, or Non-execution, was not through the wilful Default, Neglect, Corruption or Connivance of the Deputy-Marſhal's, who otherwiſe ought to have ſerved or executed the ſame; and each and every Deputy-Marſhal is hereby required to make Oath, in the Supreme Court of Judicature, of the Truth of ſuch Reaſons he ſhall add, return and expreſs in Writing, with his particular Return of Proceſs, *Tarde*, *Non eſt inventus*, or *Nulla bona*, to the Provoſt Marſhal-General hereon, ſuch Actions, Warrants, *Scire facias's*, Executions, or *Venditioni's*, as he ſhall have had delivered or ſent to him, and which he was not able to ſerve or execute, for ſuch Reaſons ſo to be returned as aforeſaid; in the ſame Manner the Deputy-Marſhals make Oath of the Truth of the Returns of ſuch Actions which are duly ſerved.

or for returning *Nulla bona*.

Provoſt Marſhal to file the Deputy's Reaſons, &c.

to remain as Records for Inſpection.

Deputy Marſhals obliged to ſwear to the Truth of ſuch Reaſons.

Provoſt-Marſhal to keep a Regiſter of Actions, &c.

II. Be it alſo enacted, That the Provoſt Marſhal-General here for the Time being ſhall keep a particular Book or Regiſter of all Actions delivered into his Office for Service, and of all Bench-Warrants, and Warrants from the Chief Juſtice, or any other of the Juſtices of the Supreme Court, and the Attorney-General, and of all Writs whatſoever, meſne or judicial, in which the Names of the Defendants ſhall be firſt entered in an alphabetical Manner, and then the Names of the Plaintiff or Plaintiffs, together with the Day when ſuch Action or Summons, Warrant or Writ was lodged in the ſaid Office; which ſaid Regiſter is to be free and open for the Inſpection of all Perſons.

Provoſt-Marſhal's Fees.

III. Be it enacted, That the Provoſt Marſhal-General here ſhall be paid and allowed as a Fee, on executing every Bench-Warrant, or Warrant of the Chief Juſtice, or any other of the Juſtices of the Supreme Court, or of the Attorney-General, the Sum of Twenty Shillings, together with Mile-Money, at the Rate of one Shilling *per* Mile for the firſt Twenty Miles, and Six-Pence *per* Mile for every Mile above Twenty.

Deputy-Marſhals, upon Neglect of Duty to be fined, &c.

IV. Be it enacted, That the Deputy-Marſhals, in their ſeveral Diſtricts, do uſe their utmoſt Diligence in the legal and due Service and Execution of all Actions, Warrants, Precepts and Proceſs whatſoever that ſhall be delivered or ſent to them by the Provoſt Marſhal-General here; and in caſe of any groſs Neglect of their Duty, Default, Corruption or Connivance, in or concerning the Non-ſervice and Non-execution of the Premiſſes, the ſame being made appear to the ſaid Supreme Court againſt either of them, the ſaid Court, on Conſideration had, ſhall in ſuch Caſes as ſhall be judged deſerving of it, impoſe a Fine not exceeding Twenty Pounds for every particular Offence, or diſmiſs ſuch Deputy from his Service, under the Provoſt Marſhal-General here, in that Capacity; and ſuch Deputy ſo diſmiſſed, is hereby rendered incapable in ſerving as a Deputy-Marſhal again,

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again, unleſs by the Permiſſion of the ſaid Supreme Court firſt had and obtained, and entered of Record by the Clerk of the Crown in the ſaid Court.

Provoſt Marſhal to ſend a Liſt of Actions, wherein the Crown is concerned, to the Receiver and Attorney-General.

V. Be it enacted, That the Provoſt Marſhal-General here deliver to the Attorney-General and Receiver-General, the ſecond *Wedneſday* in every Supreme Court, a true Liſt of all Actions, Writs, and Proceſs lodged in his Office, with a Copy of the Return made to them in the ſaid Court, and of all Fines and Monies received by him, in which his Majeſty and the Revenue of this Iſland are any ways intereſted or intitled, either in the Whole, or any Part thereof, and not before delivered into the Attorney and Receiver-General.

His Conduct, when Levies made by him are ſubject to prior Executions.

VI. Be it enacted, That wherever any Writ of *Venditioni exponas* ſhall be ſued out and lodged with the Provoſt Marſhal-General here, and who thereupon cauſes the Debt or Damages therein mentioned, or any Part of the ſame, to be levied on the Negroes, Goods and Chattels of the Defendant, according to the Exigence of ſuch Writ, which Levy may be ſubject and liable to prior Executions lodged with the Provoſt Marſhal-General here, according to Laws of this Iſland, the Provoſt Marſhal-General is hereby directed and required to make a Return to the ſame, either on the Back of the ſaid Writ, or in a Schedule to be thereunto annexed, of what Money in particular he has levied by virtue of that Writ, and if there ſhall be any Writ or Writs of Execution or *Venditioni* lodged in his Office, for the Satisfaction whereof the Monies ſo levied on ſuch *Venditioni* ought to be applied according to their legal Priority, that he in particular, in the ſaid Return, ſet forth all and every ſuch prior Executions and *Venditioni's*, expreſſing therein the Plaintiffs Names, and the ſeveral Sums directed to be levied according to their reſpective Priorities; for which Return the ſaid Provoſt Marſhal-General ſhall be paid or allowed the Sum of Five Shillings; and where any Perſon ſhall have lodged any Writ or Writs of Execution, or *Venditioni*, in the Provoſt Marſhal-General's Office here, and ſhall afterwards receive Payment or Satisfaction for the Debts or Damages mentioned in ſuch Writs, or any Part of the ſame, from the Defendant, or any other Perſon on his Behalf, ſuch Perſon, his Subſtitute or Attorney, having Authority to receive the ſame, is hereby required, in the Space of Two Months, after ſuch Payment or Satisfaction, to certify the ſame to the Provoſt Marſhal-General here, who ſhall enter the ſame in his Books, in Diſcharge of ſuch Writ or Writs, in Part, or in the Whole, according as ſuch Payment ſhall be.

Perſons lodging Writs, and receiving Payment from the Defendant, to certify the ſame to the Provoſt Marſhal.

Juſtices and Veſtries to tranſmit a Liſt to the Chief Juſtice, of Freeholders qualified to ſerve as Jurors.

VII. And whereas, for want of proper Liſts of the Freeholders and others, who are fit and qualified to ſerve on Juries in the ſaid Supreme Court of Judicature of this Iſland, great Numbers of Perſons who ought, and by Law are liable to ſerve, are never returned for that Purpoſe, whereby the ſame is become a very unequal Duty, and frequently falls, more eſpecially as to the Petit Jury, on many Perſons who are incapable of ſuch a Service, from the Straitneſs of their Circumſtances, without great Prejudice to their Families; and ſometimes on ſuch who are even under a Neceſſity of applying for Protections to enable them with Freedom to paſs as Jurors in all Cauſes of the Crown, and between Party and Party, and to be determined in the ſaid Court; therefore, for the Prevention thereof, be it alſo enacted, That the Juſtices and Veſtry in every Pariſh where they are, and in thoſe Pariſhes where there is no Veſtry, the Juſtices; and in thoſe Pariſhes where there are no Juſtices, the Veſtry-men once every Year, *viz.* between the Firſt of *January* and the Twenty-fifth Day of *March*, in every Year, cauſe an exhibit Liſt to be made by the Clerk of the Veſtry, or Clerk of the Peace, in any Pariſh where there is no Clerk of the Veſtry attending them, of all Perſons inhabiting in their reſpective Pariſhes, Freeholders, and others, of a competent Livelihood (in which the ſaid Juſtices and Veſtry-men are to be included) and who are hereby qualified to ſerve on Juries in the ſaid Supreme Court of Judicature of this Iſland, to the Intent that the ſame may be rendered a more equal Duty than it has hitherto been; and that the Juſtices and Veſtry, and the Juſtices where there is no Veſtry, and the Veſtry-men where there are no Juſtices ſubſcribe ſuch Liſt, together with a Duplicate thereof; and that they tranſmit the ſame, with the Duplicate, to the Chief Juſtice of this Iſland, by the ſaid Twenty-fifth Day of *March*, in every Year, which Duplicates are to be ſent to the Provoſt Marſhal-General here,

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here, and the original Liſts or Duplicates thereof to be filed in the Office of the Clerk of the ſaid Supreme Court; and after the Receipt of the ſaid original Liſts or Duplicates, the Provoſt Marſhal-General here is hereby directed and required to form his Pannels of Jurors, to be returned at every Supreme Court of Judicature, on the general Writs of *Venire facias* directed to him, in ſuch Manner and Form as the Service on Juries may be rendered as equal as may be, to all the Perſons ſo to be returned in the Liſts and Duplicates thereof, as aforeſaid; provided that nothing herein be conſtrued to abridge or controul the legal Power and Authority of the ſaid Court, with reſpect to Juries and Jurors, or to prevent the ſaid Court from ſtriking out any Perſon or Perſons from ſuch Liſts or Duplicates, or Pannel or Pannels to be returned by the Provoſt Marſhal-General here, or from ordering the Provoſt Marſhal-General here not to warn any particular Perſon or Perſons who may be returned on ſuch Liſts or Duplicates, as the ſaid Court ſhall ſee juſt Cauſe; any thing herein contained to the contrary notwithſtanding.

Chief Juſtice to ſend the Provoſt Marſhal a Duplicate of ſuch Liſt.

VIII. And whereas the Provoſt Marſhal-General here is bound by Law, on all Writs of Partition, to go in his proper Perſon to the Lands, Tenements, and Premiſſes to be divided, to make ſuch Partition in Manner and Form as the Law requires, which from the Extent of this Iſland is not practicable for him to do; and when ſuch Partitions are made by his Deputies, the ſame are liable for that Reaſon to be ſet aſide, to the great Vexation of divers Joint-Tenants and Tenants in common, who have already ſued for a Partition, or ſhall hereafter ſue for that Purpoſe: For Remedy whereof be it enacted, That in all Partitions to be made by Writ, where the Provoſt Marſhal-General cannot attend in Perſon, purſuant to the Judgment in Partition and the Exigence of the Writ that iſſues thereon, that he ſhall appoint, by Warrant under his Hand and Seal, ſome proper Perſon reſiding in the Pariſh, or near where the Lands, Tenements, and Premiſſes ſhall and do lie, to make Partition, in his Place and Stead, between the Parties, in the Preſence of any one or more Juſtices of the Peace, who ſhall attend for that Purpoſe, at the Inſtance and Requeſt of either of the Parties between whom the ſaid Partition is to be made, which Partition to be thereon made ſhall be good and effectual in Law, and final Judgment ſhall be given thereon; the Provoſt Marſhal-General here returning ſuch Writ, with the Execution thereof, ſpecially to the Court, in the ſame Manner as if the Provoſt Marſhal-General here had made ſuch Partition thereon in his own proper Perſon.

Provoſt Marſhal's Conduct in Writs of Partition.

Penalties.

IX. And be it enacted, That whoſoever ſhall not do his Duty, and comply with the Directions of this Act, or offend againſt the true Intent and Meaning of the ſame, ſhall for every ſuch Offence forfeit Fifty Pounds to his Majeſty, his Heirs and Succeſſors, to be applied towards the contingent Charges of the Government, and to be recovered by Information in the ſaid Supreme Court of Judicature of this Iſland.

X. And be it alſo enacted, That the Secretary of this Iſland do cauſe this Act to be printed as ſoon as conveniently may be; and that he ſend Twelve printed Copies to the *Cuſtos*, or Chief Magiſtrate of every Pariſh in this Iſland, Three Copies to the Governor or Commander in Chief, and Three Copies to each Member of his Majeſty's Council and of the Aſſembly in this Iſland; and that he be paid for the ſame out of the Surplus of any Fund or Funds unappropriated, for raiſing Money for the contingent Charges of the Government of this Iſland.

XI. And be it enacted, That this Act, and every thing therein contained, ſhall be and continue in Force, from the paſſing thereof, for the Term of Five Years, and from thence to the End of the then next Seſſions of Aſſembly, and no longer *.

* *This Act continued by* Act 189.

An Act for applying and appropriating certain Sums of Money to ſeveral Uſes; and for enabling the Receiver General to negotiate and diſpoſe of ſuch Bonds as are and ſhall be given to his Majeſty for Quit-rents; and for impowering him to borrow certain Sums of Money at Intereſt, for the ſupplying the immediate Exigences of the Government; and for reſtraining the Commiſſioners of Forts and Fortifications from laying out more Money upon the ſaid Forts and Fortifications than ſhall from Time to Time be granted by the Aſſembly for the ſaid Fortifications. 1747.

Act 148.

WE your Majeſty's moſt dutiful and loyal Subjects, the Aſſembly of this your Majeſty's Iſland of *Jamaica*, do moſt humbly beſeech your Majeſty that it may be enacted; and be it enacted by the Governor, Council, and Aſſembly of this Iſland, and it is hereby enacted and ordained by the Authority of the ſame, That out of the Surpluſage of the Monies that have ariſen, or ſhall ariſe, by Virtue of an Act of the Governor, Council, and Aſſembly of this Iſland, entituled, *An Act for granting a Revenue to his Majeſty, his Heirs and Succeſſors, for the Support of the Government of this Iſland, and for receiving and perpetuating the Laws thereof*; and out of the Surpluſage of all other Funds granted by this or any former Aſſembly, the following Sums of Money be applied and appropriated to the Uſes, Purpoſes, and Services herein after-mentioned, that is to ſay, a Sum not exceeding Ten thouſand eight hundred Pounds to the Payment of the Debt now due on Account of the Forts and Fortifications; a Sum not exceeding Four thouſand Pounds, for the Payment of Monies borrowed in the late Marſhal Law, and the Intereſt now due or which ſhall become due thereon; a Sum not exceeding Five hundred Pounds, for the Uſe of the Bath of St. *Thomas the Apoſtle*, to be paid into the Hands of the Commiſſioners of the ſaid Bath; a Sum not exceeding Six hundred Pounds, for paying and ſubſiſting the Negroe Soldiers, purſuant to an Act of the Governor, Council, and Aſſembly of this Iſland, entituled, *An Act for raiſing Companies in the ſeveral Negroe Towns, and encouraging them to reduce rebellious and runaway Slaves*, paſſed in a former Seſſions of this Aſſembly; a Sum not exceeding Five thouſand Pounds, to the Uſe of the Forts and Fortifications at *Muſquitta Point*; a Sum not exceeding Four hundred Pounds, to the Uſe of *Fort Charles* at *Port Royal*; a Sum not exceeding Three hundred Pounds, to the Uſe of *Fort George* at *Port Antonio*; a Sum not exceeding Five hundred Pounds, to the Uſe of *Fort William* at *Port Morant*; a Sum not exceeding Three hundred Pounds for the Uſe of the Fortifications at *Rock Fort*; a Sum not exceeding Six hundred Pounds, for preſerving the Small Arms and hiring Store-houſes for the Reception of the ſame; and a Sum not exceeding Two hundred and Twenty three Pounds Six Shillings and Eight Pence, for the Payment of a Debt due from the Publick to *William Axtell*, and the Intereſt due on the ſaid Debt.

Sums of Money appropriated to the Payment of Publick Debts, and other Uſes:

II. And whereas there is a Neceſſity that the preſent Exigences of the Government be immediately ſupplied; be it further enacted by the Authority aforeſaid, That the Receiver General be, and he is hereby enabled, empowered, and authorized to negotiate, ſell, diſpoſe of, aſſign, and transfer all Bonds that have been, or ſhall be given or entered into, to his Majeſty, his Heirs and Succeſſors, for the Payment of Quit-rents, and the Monies due thereon, for the Sum or Sums of Money that ſhall be really and *bona fide* due on the ſaid Bonds at the Time of the Sale or other Diſpoſal thereof, and not for a leſſer Sum; and all and every the Purchaſer or Purchaſers of ſuch Bonds, their Executors, Adminiſtrators or Aſſigns, and all and every Perſon or Perſons claiming and having a Right to ſuch Bonds under ſuch Purchaſer or Purchaſers, their Executors, Adminiſtrators or Aſſigns; and the Monies due thereon ſhall be, and they are hereby entitled to the ſame Remedies, for the Recovery of ſuch Monies due on ſuch Bonds, and

Receiver General impowered to ſell, transfer, &c. Quit-rent Bonds.

1747. to the ſame Preference and Precedence in Payment as his Majeſty is or would be entituled unto, in caſe the ſame had remained and continued Debts due to the Crown.

III. And whereas it is uncertain when the Monies ariſing from the Surpluſage of the Funds herein before mentioned may come into the Hands of the Receiver General; therefore, that the Publick may not ſuſtain any Inconveniency for the Want thereof, be it further enacted by the Authority aforeſaid, That the Receiver General for the Time being be, and he is hereby enabled, authorized, and empowered, by and with the Conſent and Order of the Commiſſioners for ſtating and adjuſting the publick Accounts, or any Five of them, to borrow any Sum or Sums of Money not exceeding Eight thouſand Pounds in the whole, at an Intereſt after the Rate of Ten Pounds *per Centum per Annum*, payable every Six Months; which Sum and Sums ſo borrowed, and the Intereſt which ſhall become due thereon, ſhall be made good and paid by this or any future Aſſembly.

Impowered to borrow 8000*l.* at 10 *per Cent.* Intereſt.

IV. And be it further enacted by the Authority aforeſaid, That the Commiſſioners of Forts and Fortifications be for the future reſtrained from laying out any more Money on the ſaid Forts and Fortifications than ſhall be granted from Time to Time by the Aſſembly for the ſaid Fortifications; and the ſaid Commiſſioners are hereby reſtrained accordingly.

Commiſſioners of Forts, &c. reſtrained from laying out more Money than granted.

An Act to explain and amend an Act, entituled, An Act for introducing of White People into this Iſland, for ſubſiſting them for a certain Time, and providing them with Land that they may become Settlers; *and alſo of an Act, entituled,* An Act for giving the ſame Allowance to New-Comers, who ſhall take up and ſettle Lands within the Pariſh of *Portland*, as thoſe New-Comers are entitled to who have taken up Lands at or near *Norman's Valley*, at or near *Manchionile Harbour*, by virtue of an Act, entituled, An Act for introducing of White People into this Iſland, for ſubſiſting them for a certain Time, and providing them with Land, that they may become Settlers.

Act 149. WHEREAS in and by an Act, entituled, *An Act for introducing of White People into this Iſland, for ſubſiſting them for a certain Time, and providing them with Land that they may become Settlers*, it is enacted, That Fifteen thouſand Acres of Land, at or near *Manchionile Harbour*; and alſo Fifteen thouſand Acres of Land, at or near *Norman's Valley*, be and are hereby re-inveſted in his Majeſty, his Heirs and Succeſſors, to be re-granted for the Uſe and Benefit of New-Comers only; and it is alſo thereby enacted, That all ſuch New-Comers ſhall be, and are thereby obliged to begin and carry on a Settlement on ſuch Land, ſo to be granted to them as in the ſaid Act is mentioned, within Three Calendar Months from and after the Date of their reſpective Patents; and on Failure of which all ſuch Lands ſhall revert to his Majeſty, for the Uſes, Intents, and Purpoſes of the ſaid Act: And whereas in and by an Act, entituled, *An Act for giving the ſame Allowances to New-Comers, who ſhall take up and ſettle Lands within the Pariſh of* Portland, *as thoſe New-Comers are entitled to who have taken up Lands at or near* Norman's Valley, *or at or near* Manchionile Harbour, *by virtue of an Act intituled, An Act for introducing of White People into this Iſland, for ſubſiſting them for a certain Time, and providing them with Land that they may become Settlers*, it is enacted, That ſuch ſeveral Perſons being New-Comers, within the true Intent and Meaning of the above and therein recited Act, and who have complied, or ſhall in all Things comply with the ſeveral Clauſes and Reſtrictions thereof (the taking up Lands in the ſaid ſeveral Tracts at *Manchionile Harbour* and *Norman's Valley* only excepted) and who have already taken or ſhall take up Lands in any Part of the Pariſh of *Portland*, upon and under the ſame Conditions, Reſtrictions, and Engagements, that the Lands in the ſaid Two Parcels

Parcels at *Manchionile Harbour* or *Norman*'s *Valley* are, or ought to be granted; and who have made, or ſhall make Settlements on the ſaid Land ſo taken up, according to the true Intent and Meaning of the ſaid Act, ſhall be entitled to the ſame Allowances, Subſiſtance, and to all other Immunities and Privileges that other New-Comers are entitled; and ſhall be obliged to make the ſame Reimburſements, and to hold their Lands upon the ſame Terms, and under the ſame Limitations, that the ſaid New-Comers are ſubject unto by virtue of the ſaid Act, who have actually had Grants of Land and made Settlements thereon, within the aforementioned Tracts at *Manchionile Harbour* and *Norman*'s *Valley*: And whereas a great Number of New-Comers have taken up Lands by virtue of the before recited Acts, in the ſaid Tracts of Land near *Manchionile Harbour*, and *Norman*'s *Valley*, and in the Pariſh of *Portland*, many of whom have carried on Settlements thereon, according to the true Intent and Meaning of the ſaid Acts: And others, though they have enjoyed all the Privileges and Advantages of the ſaid Acts, have neglected to carry on Settlements on the ſaid Lands granted to them as New-Comers by virtue of the ſaid Acts; but have, after opening very ſmall Quantities of ſuch Land, let the ſame remain without further ſettling or cultivating, contrary to the true Intent and Meaning of the ſaid Acts, to the great Prejudice and Inſecurity of the Iſland in general, and particularly of ſuch New-Comers as have carried on their Settlements according to the ſaid Acts: And whereas it is not aſcertained in and by the ſaid Acts, how and in what Manner Settlements ſhould be carried on, or what is or ſhall be deemed a Settlement, or in what Manner the ſame are to be carried on; ſo that great Difficulties do and muſt ariſe, in determining how far ſuch Perſon or Perſons, who have or ſhall be guilty of ſuch Neglect in not carrying on their Settlements purſuant to the true Intent and Meaning of the ſaid Acts, have or are, or may be liable to forfeit ſuch Lands ſo granted, in order that they might be re-granted to ſuch New-Comers as would comply with the ſaid Law: Wherefore, for explaining and amending of the ſaid recited Acts, may it pleaſe your Majeſty that it may be enacted; and be it enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, That every New-Comer who already hath, or hereafter ſhall obtain a Patent of any of the ſaid Lands in the ſaid recited Acts, that ſuch New-Comer, his Heirs, or Deviſees, ſhall within Three Months after the paſſing of this Act, or within Three Months after the Date of his, her, or their Patent, commence and begin a Settlement upon the Lands ſo to him granted; and ſhall, within Eighteen Kalendar Months, fall and plant, or convert into Paſture, half an Acre, at the leaſt, of the Land to ſuch New-Comer granted, for every white Perſon and Negroe, upon account of whom ſuch New-Comer hath received or ſhall receive a Grant of Land, and for whom he hath received or ſhall receive Subſiſtance from the Publick; and ſuch New-Comer ſhall, after the ſaid Eighteen Kalendar Months, for the Remainder of the Term of Seven Years after the paſſing of his Patent, keep the aforeſaid Quantity of Land well and ſufficiently planted, or in good and ſufficient Paſture, according to the Number of the white Perſons and Negroes, as is aforeſaid. 1747.

New-Comers obtaining Patents, to begin ſettling in 3 Months.

II. Provided always, That in caſe any of the Negroes of ſuch New-Comer ſhall be dead, or taken off ſuch Settlement by due Courſe of Law, or be given up to any Perſon or Perſons having a ſuperior Title to ſuch Negroe than ſuch New-Comer; then, and in ſuch Caſe, ſuch New-Comer ſhall be obliged to keep no more Land planted or in Paſture than in Proportion to the Number of white Perſons for whom he received a proportionable Quantity of Land and Subſiſtance, and for the Number of Negroes that ſhall remain after ſuch Deaths, Taking, or Delivery up of ſuch Negroes accordingly. Proviſo.

III. Provided always, and be it enacted by the Authority aforeſaid, That no Perſon already having a Grant of ſuch Lands, or who hereafter ſhall obtain a Grant or Grants for the ſame, or any Part thereof, ſhall hereafter be entitled to demiſe, leaſe, or let the ſaid Lands ſo patented or to be patented, during the ſaid Term of Seven Years; nor ſhall deſert or throw up ſuch Settlement: And if any Patentee, their Heirs or Deviſees, ſhall not comply herewith, he, ſhe, or they, ſhall forfeit his or her Lands ſo patented, and all his or her Right and Title thereto; Proviſo.

Settlers not to leaſe the Lands they have patented within 7 Years.

1747.

thereto; and the ſame are hereby re-veſted in his Majeſty, his Heirs and Succeſſors, to be re-granted to any other New-Comer, according to the Intent and Meaning of the ſaid Two recited Acts, and of this Act.

Commiſſioners of the Lands at *Norman's Valley*, &c. appointed.

IV. And for the more eaſy and effectual Execution of the ſaid recited Acts, be it enacted by the Authority aforeſaid, That *Robert Duckingfield*, *William Lewis*, *Francis Sadler*, *Hals* and *William Hall*, *Andrew Arcedeckne*, *Samuel Whiteborn*, *William Walters*, *Norwood Witter*, *Matthew Gregory*, *Charles Burnet*, and *Edward Clarke*, Eſquires, be, and they hereby are appointed Commiſſioners for the ſaid Lands at or near *Norman's Valley*, and at or near *Manchionile Harbour*: And the Commiſſioners already appointed by an Act, entituled, *An Act for effectually ſettling the Pariſh of* Portland, *by veſting all the unſettled Lands in the ſaid Pariſh in the Crown*, be, and are hereby appointed Commiſſioners in the ſaid Pariſh, for aſſigning of any Parcel of Land that ſhall become forfeit, and re-veſted in his Majeſty, his Heirs and Succeſſors, by virtue of the ſaid recited Acts, and of this Act: Which ſaid Commiſſioners for *Norman's Valley*, and *Manchionile*, and for the Pariſh of *Portland*, in their reſpective Diſtricts, or any Three of them, are hereby empowered to aſſign ſuch Parcels of Land granted or to be granted to New-Comers, under the ſaid recited Acts, as aforeſaid, as ſhall or may become forfeit as aforeſaid, in the ſame Manner and Form as the Commiſſioners appointed by the ſaid Act for effectually ſettling the Pariſh of *Portland*, are hereby empowered to aſſign forfeited Lands: And the Commiſſioners hereby appointed are authorized and required to proceed in the ſame Manner and Form, and to direct themſelves touching the Premiſſes by the ſame Rules and Regulations as the ſaid Commiſſioners appointed by the ſaid laſt mentioned Act for effectually ſettling the Pariſh of *Portland*, are thereby obliged to do; and all Perſons who ſhall obtain Grants, and record the ſame, purſuant to ſuch Rules and Regulations, ſhall and hereby have a good and ſure Title to the Lands ſo to be re-granted, in caſe of Forfeiture, againſt all other and former Patentees, as fully in every Reſpect as if the Lands ſo granted had been found forfeited by any Inqueſt of Office returned into the Supreme Court of Judicature of this Iſland, and Judgment thereon given for the King, or any otherwiſe howſoever.

Proviſo.

V. Provided always, That ſuch new Grantee, his or her Heirs or Deviſees, do ſettle the Lands ſo to him or her granted, purſuant to the true Intent and Meaning of this and the ſaid recited Acts: And in order to keep up the Number of Commiſſioners, it ſhall and may be lawful for the Governor, or Commander in Chief of this Iſland, to nominate and apppoint ſuch Perſon and Perſons to be Commiſſioners as he ſhall think fit, upon the Death, Departure, or other Incapacity of any of the ſaid Perſons appointed by this Act. And be it enacted by the Authority aforeſaid, That a Copy of this Act ſhall be tranſmitted to the ſeveral Commiſſioners, by the Secretrary of this Iſland.

An Act for the aſſaying of Gold and Silver Wares, and Bullion.

Act 150. WHEREAS, by an Act of the Governor, Council, and Aſſembly of this Iſland, entituled, *An Act for aſcertaining the Value of foreign Coins, and eſtabliſhing Intereſt*, it is, amongſt other Things, thereby enacted and ordained, That no Goldſmith, or Worker in Gold or Silver, within this Iſland, from and after the Firſt Day of *Auguſt*, One thouſand ſix hundred and eighty-one, ſhould work, ſell, exchange, or cauſe to be wrought, ſold, or exchanged, any Plate, or other Goldſmiths Wares of Gold, leſs in Fineneſs than Twenty-two Carats; and that, from the Time aforeſaid, no Goldſmith, or Worker in Gold or Silver, ſhould make, ſell, or exchange, in any Place within this Iſland, any Plate, or Goldſmiths Wares of Silver, leſs in Fineneſs than that of Eleven Ounces Two-penny Weight; and that no Goldſmith, or Worker in Gold and Silver, ſhould preſume to put to Sale, exchange, or ſell, any Plate of Goldſmiths Work of Gold or Silver, before he hath ſet his own Mark to ſo much thereof as may conveniently bear the ſame, upon Pain of forfeiting the Value of the Thing ſo ſold or exchanged; that whatſoever Goldſmith, or Worker in Gold or Silver, as aforeſaid, from and after the ſaid Firſt Day of *Auguſt*, ſhould preſume to ſell or exchange

any Gold or Silver Wares of leſs Fineneſs than aforeſaid, for every ſuch firſt Offence ſhould forfeit treble the Value of the ſaid Wares ſo ſold or exchanged; one Half whereof to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland and the contingent Charges thereof, and the other Half to the Party aggrieved; to be recovered in Manner and Form aforeſaid; and that whoſoever ſhould offend the Second Time, and thereof be convicted, ſhould ſtand in the Pillory for the Space of One Hour, and loſe his Ears for the ſame: And whereas, notwithſtanding the ſaid in Part recited Act, it is notorious that moſt, if not all the Gold and Silver Wares made and ſold in this Iſland, are compoſed of baſe Metals, and are greatly inferior to the Quality and Goodneſs directed and required by the ſaid recited Law, to the great Wrong and Injury of the Buyer: In order therefore to put an End to ſo notorious an Impoſition on your Majeſty's Subjects in this Iſland, and to compel and oblige the ſeveral Workers of Gold and Silver Wares in this Iſland to comply with the ſaid in Part recited Act, in working up ſuch Gold and Silver of ſuch Fineneſs and Quality as is directed by the ſaid recited Act; may it pleaſe your Majeſty that it may be enacted; and be it enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted by the Authority of the ſame, That from and after the Firſt Day of *September*, in the Year of our Lord One thouſand ſeven hundred and forty-ſeven, it ſhall and may be lawful for the Governor and Commander in Chief of this your Majeſty's Iſland of *Jamaica*, and the Governor and Commander in Chief for the Time being, by Warrant under his Hand and Seal, from Time to Time, to nominate and appoint one or more Aſſay-Maſters for the trying and aſſaying all Gold and Silver Wares made in this Iſland, in all or any, or either of the three Towns of St. *Jago de la Vega*, *Kingſton*, and *Port Royal*; or in ſuch other Place as from Time to Time the Governor or Commander in Chief of this Iſland for the Time being ſhall think neceſſary and convenient.

1747.

Governor to appoint Aſſay-Maſters.

II. And be it further enacted by the Authority aforeſaid, That every Goldſmith, or Worker in Gold and Silver, before he or they ſhall be allowed to ſell, expoſe to Sale, or exchange any Gold or Silver Wares whatſoever, except as herein after is excepted, ſhall enter his and their Name and Place of Abode, and Mark, in the Aſſay-Office, neareſt to his and their Habitation, under the Penalty of Ten Pounds, and ſhall be, and they are hereby obliged to carry all ſuch Gold and Silver Wares to one of the aforeſaid Aſſay-Maſters, to be tried in the like Manner as Gold and Silver Wares are tried and aſſayed in *Great Britain*: And if, upon ſuch Aſſay, the ſaid Gold and Silver Wares ſhall be found worſe than the Standard aforeſaid, it ſhall be lawful for the ſaid Aſſay-Maſter, and he is hereby directed and required to break and deface the ſaid Gold and Silver Wares, ſo that they may not be diſpoſed of; but if upon ſuch Aſſay the ſaid Gold and Silver Wares ſhall appear to be of the Fineneſs and Quality above-mentioned, the ſaid Aſſay-Maſter ſhall, and he is hereby obliged to mark the ſaid Gold and Silver Wares with the Stamp or Mark of an Allegator's Head, and the initial Letters of his own Name, to ſo much thereof of the ſaid Wares as will conveniently bear the ſame.

Workers in Gold and Silver to enter their Names in the Aſſay-Office.

To carry their Wares to be aſſayed.

III. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Aſſay-Maſter and Aſſay-Maſters, to aſk, demand, and receive, of and from every Goldſmith, or Worker in Gold and Silver, or any other Perſon for whom any Aſſay ſhall be made, for ever Gold Aſſay Twelve Shillings and Six-Pence, and for ever Silver Aſſay Seven Shillings and Six-Pence.

Aſſay-Maſter's Fees.

IV. Provided always, That from the ſeveral ſmall Silver Wares and Trinkets following, brought at one and the ſame Time to be aſſayed, *viz.* From every Twelve Table-Spoons, One Aſſay only ſhall be made; from every Twenty-four Tea-Spoons, Four Strainers, and Four Pair of Tongs, One Aſſay only; from every Twelve Pair of Buckles, One Aſſay only; from every Twenty-four Pair of Sleeve-Buttons, One Aſſay only; from Twenty-four Coat and other Buttons, One Aſſay only; from every Twenty-four Finger-Rings or Ear-Rings, One Aſſay only; and from every Parcel of other Trinkets, or ſmall Pieces of Silver-Wares, or Plate of any Sort, the whole Parcel not exceeding Six Ounces, One Aſſay only;

Proviſo.

1747. only; and from every Parcel of Gold Trinkets, or ſmall Wares in Gold of any Sort, the whole Parcel not exceeding Two Ounces, One Aſſay only: All which ſaid Aſſays to be made by ſcraping a Proportion from every Piece, to make up the Weight to be aſſayed.

V. And be it enacted by the Authority aforeſaid, That the Gold or Silver that ſhall be made Uſe of for ſuch Aſſays, had or made by Virtue of this Act, ſhall be returned to the Proprietor of the Gold or Silver from whence the ſame was taken; and if any Goldſmith, or other Worker in Gold and Silver, or any other Perſon, ſo carrying any Gold or Silver Wares to be aſſayed, ſhall not be ſatisfied with any Aſſay thereof, to be made as aforeſaid, but ſhall ſtill inſiſt that ſuch Wares ſo aſſayed are of the Standard above-mentioned, the ſaid Gold and Silver Wares ſhall not be broken or defaced, but be immediately depoſited in the Hands of ſome Magiſtrate of the Precinct where the ſaid Aſſay ſhall be made; and ſhall, in order to determine the ſaid Diſpute, be re-aſſayed before all or any other the Aſſay-Maſters then in this Iſland, who are hereby obliged to attend, on Notice given by the Party requiring the ſaid Re-aſſay; and alſo before One of his Majeſty's Juſtices of the Peace, and any diſintereſted Maſter Goldſmiths or Silverſmiths that will be preſent at the ſaid Re-aſſay, and in the Preſence of the Party, if he will be preſent at the ſame, at a particular Time, to be appointed by the ſaid Juſtices of the Peace, againſt a Piece of Old Sterling Plate with the Gold-ſmiths-Hall Mark upon it, then alſo to be aſſayed at the ſame Time; from which Re-aſſay there ſhall be no Appeal.

Diſputes about Aſſays, how to be decided.

VI. And be it further enacted by the Authority aforeſaid, That upon every ſuch Re-aſſay ſo to be made as aforeſaid, the ſaid Aſſay-Maſter or Aſſay-Maſters ſo to be called in as aforeſaid, and the ſaid Gold or Silver-ſmiths preſent at the ſaid Re-aſſay, ſhall, on their Affidavits in Writing, to be ſworn to before the ſaid Juſtice, declare the Quality and Fineneſs of the ſaid Gold or Silver Wares re-aſſayed as aforeſaid; and thereupon the ſaid Juſtice ſhall certify under his Hand and Seal whether the ſame be of Standard or not, and deliver ſuch Certificate to the Party, who is entitled to the Benefit of the ſame: And if it ſhall be certified, that the ſaid Gold or Silver Wares are of the Standard aforeſaid, or of equal Fineneſs with the ſaid Old Sterling Plate, at the ſame Time to be aſſayed as aforeſaid, the ſaid Aſſay-Maſter, by whom the Firſt Aſſay had been made, ſhall forthwith mark the ſaid Gold or Silver Wares with the ſaid Mark of an Allegator's Head, and ſhall not be allowed any Fee or Reward for the ſaid Aſſay or Re-aſſay, or for marking the ſaid Gold or Silver Wares, but ſhall bear the Charge of the ſaid Aſſay and Re-aſſay, and alſo pay One Pound three Shillings and Nine-Pence to each Aſſay-Maſter that ſhall be preſent, and ſhall have travelled out of the Pariſh where he or they reſide, for his and their Travelling-Charges and Expences on that Occaſion; all which ſaid Charges ſhall be likewiſe paid by the Party requiring the ſaid Re-aſſay, in caſe the ſaid Wares ſhall be found to be worſe than Standard, and ſhall in either Caſe be levied by Warrant under the Hand and Seal of any One Juſtice of the Peace, by Diſtreſs and Sale, on the Goods and Chattels of the ſaid Party refuſing to pay the ſame; and in caſe any Perſon, who ſhall purchaſe any Gold or Silver Wares from any Goldſmith or Silverſmith with the Mark aforeſaid, ſhall be doubtful whether the ſame is of the Standard aforeſaid, or not, ſuch Purchaſer ſhall be at Liberty to demand a Re-aſſay thereof, to be made in Manner aforeſaid: And in caſe any Fraud or Impoſition ſhall appear to have been made by the Aſſay-Maſter by whom the Firſt Aſſay was made, ſuch Aſſay-Maſter ſhall, for every Offence, forfeit the Sum of Twenty Pounds to the Party aggrieved; to be recovered in the Supreme Court of Judicature of this Iſland, by Action of Debt, Bill, Plant, or Information.

Charges of Re-aſſays, whom to fall upon.

VII. And be it enacted by the Authority aforeſaid, That the ſaid Aſſay-Maſters, and each and every of them, ſhall, under the Penalty of Twenty Pounds, take the following Oath before the Chief Juſtice of this Iſland, before he or they preſume to make any Aſſay of the ſaid Gold and Silver Wares, *viz.*

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I A. B. *do ſwear, That I will, to the beſt of my Skill and Judgment, faithfully perform the Office of Aſſay-Maſter, and make true Aſſay of all Gold and Silver brought to me to be aſſayed, and give a true Report of the Fineneſs thereof; and that I will not break or deface any Gold and Silver which ſhall be by me aſſayed, in caſe the ſame ſhall be of the Quality and Goodneſs equal to the Standard appointed by an Act of the Governor, Council, and Aſſembly of this Iſland, entituled,* An Act for aſcertaining the Value of foreign Coin, and eſtabliſhing Intereſt; *and that I will not make any undue Profit or Advantage of or by my ſaid Office, nor take any greater or other Fees than what are appointed by Law.* So help me God.

Aſſay-Maſter's Oath.

Which Oath the Chief Juſtice of this Iſland for the Time being is hereby directed and required to adminiſter, and to give a Certificate under his Hand, that ſuch Aſſay-Maſter, ſo appointed as aforeſaid, hath appeared before him, and taken the ſaid Oath.

VIII. AND be it enacted by the Authority aforeſaid, That if any Goldſmith or Worker in Gold or Silver, or any other Perſon whatſoever, from and after the ſaid Firſt Day of *September*, in the Year of our Lord One thouſand ſeven hundred and forty-ſeven, ſhall ſell, expoſe to Sale, or exchange any Gold or Silver Wares in this Iſland (Jewellers Wares, and ſuch ſmall Trinkets as cannot bear the Touch, only excepted) before the ſame hath been aſſayed, and hath received the Marks aforeſaid by one of the ſaid Aſſay-Maſters, duly appointed as aforeſaid, ſuch Perſon or Perſons ſo offending, ſhall, for every ſuch Offence, forfeit the Sum of Twenty Pounds.

Penalties.

IX. AND be it enacted by the Authority aforeſaid, That each of the ſaid Aſſay-Maſters ſo appointed, as aforeſaid, ſhall keep a publick Work-houſe in the Town or Pariſh for which they ſhall be appointed expreſſly by their ſaid Warrant, and in no other Town or Place; and provide themſelves with proper Furnaces, Tools, and Utenſils, for the aſſaying and marking all Gold and Silver brought to him or them to be aſſayed; and give due Attendance at the ſaid Work-houſe every *Tueſday* and *Friday* in every Week, and faithfully enter all and every the ſeveral Pieces of Gold and Silver they ſhall aſſay, with the Weight and Fineneſs of the ſame in a fair Book, to be open to the Inſpection of all Perſons requiring the ſame, without Fee or Reward: And it ſhall and may be lawful to and for the Governor and Commander in Chief of this Iſland, at his and their Will and Pleaſure, to ſuperſede any Warrant or Warrants, Appointment or Appointments by him or them given, or to be given or made, of, or to any or either of the Aſſay-Maſters; and upon every ſuch *Superſedeas*, ſuch Aſſay-Maſter ſhall forthwith deſtroy, or deliver over to ſome other Aſſay-Maſter, all and every the Standard Marks herein before mentioned, which he ſhall have or be poſſeſſed of, under the Penalty of Fifty Pounds; and ſhall be, and he is hereby rendered from thenceforth incapable of acting as an Aſſay-Maſter, unleſs he ſhall receive another Warrant for that Purpoſe.

Aſſay-Maſters to keep a publick Work-houſe,

and attend *Tueſdays* and *Fridays*.

Governor may ſuperſede them.

X. AND be it enacted by the Authority aforeſaid, That it ſhall be lawful for the ſaid Aſſay-Maſter or Aſſay-Maſters to make Aſſay of all Gold and Silver in Bullion that ſhall be brought him or them to be aſſayed, and to demand and receive the aforeſaid Rates for each Aſſay thereof; and the ſaid Aſſay-Maſter or Aſſay-Maſters ſhall, and he and they is and are hereby directed and required, under the Penalty of Ten Pounds, to put the initial Letters of his or their own Name and Names, and a plain Mark upon the ſaid Bullion, ſignifying the true Quality and Fineneſs of the ſame, before he or they ſhall ſuffer it to go out of his or their Cuſtody or Poſſeſſion, in order that the Value of ſuch Bullion may appear to all Perſons unto whom it may be offered for Sale.

Aſſayers to put the initial Letters of their Names upon Bullion:

XI. PROVIDED always, That nothing in this Act mentioned ſhall extend, or be conſtrued to extend, to debar or reſtrain any Perſon or Perſons whatſoever, from ſelling, and expoſing to Sale, any Plate, or Goldſmiths Wares of Gold or Silver that has the Standard Mark of *Great Britain* or *Ireland*, in like Manner as if this Act had not been made; any thing herein before contained to the contrary in any wiſe notwithſtanding.

Proviſo.

This Act not to affect Plate, *&c.* having the Standard Mark of *Great Britain* or *Ireland*.

XII. AND

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Counterfeiting the Marks of Sterling-Plate, Felony.

XII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons, other than the ſaid Aſſay-Maſters, ſhall preſume to mark any Gold or Silver Wares with the Allegator's Head, or ſhall counterfeit the Marks of Sterling-Plate, ſuch Perſon or Perſons, and his and their Accomplices, being thereof convicted, ſhall be adjudged guilty of Felony without the Benefit of the Clergy.

XIII. And be it further enacted by the Authority aforeſaid, That all and every the Fines, Forfeitures, and Penalties, mentioned in this Act, and not directed how to be recovered and applied, ſhall be recovered in the Supreme Court of Judicature of this Iſland; one Moiety whereof ſhall be to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Moiety to the Informer, or him or them that ſhall ſue for the ſame.

* *This Act continued by Act* 166.

XIV. And be it further enacted by the Authority aforeſaid, That this Act ſhall continue and be in Force for the Term of Three Years from the paſſing thereof, and from thence to the End of the next Seſſion of Aſſembly, and no longer*.

In Force only when an Aſſay-Maſter is appointed.

XV. Provided always, That nothing in this Act herein before mentioned, ſhall be in Force until ſuch Time as One Aſſay-Maſter, at leaſt, ſhall be appointed; and ſhall continue in full Force and Effect no longer than One ſuch Aſſay-Maſter, at the leaſt, ſhall continue in the actual Exerciſe of the ſaid Office: And for ſuch Part of the ſaid Term of Three Years as there ſhall be no Aſſay-Maſter, this Act, and every thing therein contained, ſhall be ſuſpended; and upon the Appointment of any other Aſſay-Maſter within the ſaid Term of Three Years, every thing herein contained ſhall be revived.

XVI. And be it further enacted, That the Secretary of this Iſland do cauſe this Act to be printed, and Three Copies thereof to be delivered to the *Cuſtos* or other Chief Magiſtrate of every Pariſh in this Iſland, to be by them promulged according to their Diſcretion.

An Act for laying out a Road from Pepper Plantation *over* May-Day Hills, *in the Pariſh of St.* Elizabeth, *to St.* Jago Savannah, *in the Pariſh of* Clarendon.

Act 151. WHEREAS the laying out and making good and convenient Roads between the different Parts of this Iſland, and from each to the Capital, cannot but contribute much to the future peopling, ſettling, and cultivating of the Country, as well as to the Eaſe, Safety, and Advantage of the preſent Inhabitants, by promoting and facilitating an Intercourſe of Commerce and Communication in Times of Peace, and of Aid and Council, in caſe of any publick Danger: And whereas the Roads at preſent leading from the Leeward to the Windward Parts of this Iſland, are on many Accounts extremely incommodious; and it is therefore intended, as well for the Reaſons aforeſaid, as for the particular Benefit of the Pariſhes of St. *Elizabeth* and *Weſtmoreland*, and for the more eaſy Attendance of the Repreſentatives, and others, upon the publick Service at St. *Jago de la Vega*, to lay out and make a good and ſufficient Road from *Pepper Plantation* over *May-Day Hills*, in the Pariſh of St. *Elizabeth*, to St. *Jago Savannah*, in the Pariſh of *Clarendon*; may it therefore pleaſe your moſt Excellent Majeſty that it may be enacted; and be it enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and by Authority of the ſame, That a good and ſufficient Road be forthwith laid out and made from *Pepper Plantation* over *May-Day Hills*, in the Pariſh of St. *Elizabeth*, to St. *Jago Savannah*, in the Pariſh of *Clarendon*; and that the Sum of Three hundred Pounds, out of the Monies to ariſe by virtue of an Act, entituled, *An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of White Men capable of bearing Arms, or White Women, or pay certain Sums of Money in caſe they ſhall be deficient, and applying the ſame to ſeveral Uſes; and for adding Commiſſioners to thoſe appointed for ordering and inſpecting the Works to be*

performed in and about the Fortifications, paſſed or to be paſſed in this preſent Seſſion of Aſſembly, be for that Purpoſe veſted in the Honourable *John Gale* and *Iſaac Gale*, Eſqrs. and *Barnart Andrieſs Woodſtock*, *Nicholas Newton*, *Francis Cooke*, *Benjamin Blake*, *Norwood Witter*, *Francis Sadler Hals*, *Richard Beckford*, *Joſeph Armſtrong*, and *George Raxtead*, Eſqrs. and the Survivors and Survivor of them, who are hereby nominated and appointed Truſtees and Commiſſioners for the ſaid Road; to be received by them, or ſuch Perſon or Perſons as they, or any Three or more of them, ſhall appoint; and they, or any Three or more of them, are hereby authorized and impowered to receive and apply the ſame, and to enter into and execute all Contracts, and in general to do and tranſact all things neceſſary in that Behalf, to be done, laid out, and expended in making and perfecting the ſaid Road; and that the further Sum of Three hundred Pounds be, and the ſame is hereby alſo veſted in them the ſaid *John Gale*, *Iſaac Gale*, *Barnart Andrieſs Woodſtock*, *Nicholas Newton*, *Francis Cooke*, *Benjamin Blake*, *Norwood Witter*, *Francis Sadler Hals*, *Richard Beckford*, *Joſeph Armſtrong*, and *George Raxtead*, the ſaid Commiſſioners; and that the Sum of Two hundred Pounds, Part of the ſaid Sum of Three hundred Pounds, ſhall be raiſed and paid by the ſaid Pariſh of St. *Elizabeth*, by an Aſſeſſment to be made by the Juſtices and Veſtry of the ſaid Pariſh, and which they are hereby impowered to make and levy in ſuch Sort, Manner, and Form as other Pariſh Charges are made and levied in the ſaid Pariſh, by the Laws and Statutes of this Iſland; and the remaining Sum of One hundred Pounds ſhall be raiſed and levied by the Pariſh of *Weſtmoreland*; to be aſſeſſed and levied by the Juſtices and Veſtry of the ſaid Pariſh, in Manner aforeſaid: And that the reſpective Church-wardens of the ſaid Pariſhes of St *Elizabeth* and *Weſtmoreland*, ſhall raiſe and levy the ſaid ſeveral Sums of Two hundred Pounds, and One hundred Pounds, and ſhall pay the ſame into the Hands of the ſaid Commiſſioners, or any Three of them; to be applied by them, or any Three or more of them, in Manner aforeſaid, on or before the Twenty-fifth Day of *December* next enſuing.

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300 *l.* veſted in Truſtees for perfecting the Road.

200 *l.* more to be raiſed by the Pariſh of St. *Elizabeth*,

and 100 *l.* by the Pariſh of *Weſtmoreland*.

II. And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees and Commiſſioners, or any Three or more of them, do and ſhall, on or before the Firſt Day of *May*, which ſhall be in the Year of our Lord One thouſand ſeven hundred and forty-eight, or as ſoon after as the ſame can be conveniently done, lay out and expend the ſaid Sums of Three hundred Pounds, and Three hundred Pounds, or ſo much thereof as ſhall be neceſſary for laying out, making, and perfecting ſuch Road, as aforeſaid; and they are for that Purpoſe hereby authorized and impowered, by Warrant or Writing under their Hand and Seals, or under the Hands and Seals of any Three or more of them, to order and impower any Perſon or Perſons whom they, or any Three or more of them ſhall employ, and with whom they ſhall contract or agree for that Purpoſe; and his or their Workmen, Servants, or Slaves, or other Perſon or Perſons to be employed by him or them, to ſurvey, run out, level, drain, raiſe, ditch, fence, and incloſe, and by any Manner of Ways or Means neceſſary or convenient for that Purpoſe, to make, or cauſe to be made, a good and effectual Highway, not exceeding the Breadth of Sixty Feet, in any one Place or Part thereof, and not leſs than Forty Feet broad, where ſo much can be cleared and laid open; and the ſame to be in as ſtraight and direct Lines, and with as few Turnings and as little Declination as the Nature of the Soil and Quality of the Lands thro' which ſuch Road is to be carried, and the Exigency of the Work to be done, can admit of: And that it ſhall and may be lawful to carry on and proſecute ſuch Work, in Manner aforeſaid, and under ſuch Reſtrictions, Proviſoes, and Limitations, as are herein after ſpecified, although the Lands through which ſuch Roads are to be made now are or ſhall then be veſted in his Majeſty, his Heirs and Succeſſors, or any other Perſon or Perſons whatſoever.

Breadth of the Road not to exceed 60 Feet.

III. And whereas the making and perfecting the ſaid Road, and the keeping the ſame in Repair, may be attended with an Expence exceeding the Sums hereby appropriated for that Uſe; be it therefore further enacted; and it is hereby further enacted by the Authority aforeſaid, That the ſaid *John Gale*, *Iſaac Gale*, *Barnart Andrieſs Woodſtock*, *Nicholas Newton*, *Francis Cooke*, *Benjamin Blake*, *Norwood*

1747. *Norwood Witter, Francis Sadler Hals, Richard Beckford, Joſeph Armſtrong*, and *George Raxtead*, the Commiſſioners and Truſtees aforeſaid, and the Survivors of them, or any Three or more of them, or ſuch Perſon or Perſons as they or any Three or more of them ſhall appoint, as aforeſaid, ſhall and may erect, or cauſe to be erected, One or more Gate or Gates, Turnpike or Turnpikes, in, upon, or acroſs any Part or Parts of the ſaid Road; and there ſhall receive and take the Toll or Duty following, before any Horſe, Cattle, Coach, Berlin, Landau, Chariot, Chaiſe, Chair, Kitterin, Waggon, Wain, Cart, or other Carriage, ſhall paſs through the ſame; to wit, For every Coach, Berlin, Landau, Chariot, Chair, or Chaiſe drawn by Six Horſes or Mules, the Sum of Three Shillings and Nine-Pence; for every of the ſaid Carriages drawn by Four Horſes only, the Sum of Two Shillings and Six-Pence; for every Chaiſe, Chair, or Kitterin drawn by Two Horſes, the Sum of Fifteen- ence; and for every one drawn only by One Horſe, Seven-Pence Half-penny; and for every Wain, Waggon, Cart, or Carriage for Goods, Proviſions, or Merchandizes only, with Four Wheels, and drawn by Three or more Steers, Horſes, Mules, or Aſſes, the Sum of Five Shillings; for every Two-wheeled Cart, or other Carriage of the like Kind, or to the like Uſe, and drawn by leſs than Three, Two Shillings and Six-Pence; for every Horſe, Mare, Mule, or Aſs, loaden, and not drawing as aforeſaid, Seven-Pence Half-penny; for every Drove of Steers, Oxen, or neat Cattle, the Sum of Twelve Shillings and Six-Pence *per* Score, and ſo in Proportion for a greater or leſſer Number; for every Drove of Calves Sheep, Hogs, Goats, Lambs, or Kids, the Sum of Five Shillings *per* Score, and ſo in Proportion for a greater or leſſer Number; for every White Perſon journeying on Horſeback, Seven-Pence Half-penny; and for every Perſon riding on a Mule or Aſs, Seven-Pence Half-penny.

The Commiſſioners impowered to erect Turnpikes.

Turnpike Rates.

Proviſo.

IV. Provided always, That this Act do not extend to charge with the ſaid Toll any Perſon or Perſons Carriages, Cattle, and Things, that ſhall from Time to Time be employed in the actual Service of the ſaid Truſtees and Commiſſioners, in the making or repairing the ſaid Roads, or collecting the ſaid Tolls: And the ſaid reſpective Sums of Money ſhall be received and taken as and for a Toll or Duty, and the Money thereby to be raiſed is, and ſhall hereby be veſted in, the ſaid Truſtees and Commiſſioners, and be applied and diſpoſed of for the making, keeping, and repairing the ſaid Road, in ſuch Sort, Manner, and Form as before and herein after is mentioned: And the ſaid Truſtees and Commiſſioners, or any Three or more of them, are hereby impowered and authorized by themſelves, or ſuch Perſon or Perſons as they or any Three or more of them ſhall appoint, to levy the ſaid ſeveral Tolls or Duties, upon any Perſon or Perſons who ſhall, upon Demand thereof made, neglect or refuſe to pay the ſame, by Diſtreſs of any Horſe or Horſes, Cattle or Carriages, or the Goods thereon loaden, from which ſuch Toll is or ought to ariſe, or upon any other the Goods and Chattels of him or them who ought to pay the ſame; and ſuch Diſtreſs to impound, keep or detain, until ſuch Toll or Duty, with all Coſts and Charges reaſonably incident to the ſame, be paid and ſatisfied; and further to ſell and diſpoſe of the ſame, in ſuch Sort, Manner, and Form, as Diſtreſs for Rent Arrear, may be ſold and diſpoſed of by the Laws and Statutes of *Great Britain*.

Toll-Money to be applied to the Repair of the Road.

V. And be it further enacted by the Authority aforeſaid, That ſuch Toll and Duty ſo to be raiſed and levied, be by the ſaid Truſtees and Commiſſioners applied to and for the laying out and making of the ſaid Road, and the keeping of the ſame in Repair, and the Charges incident thereto; and to and for no other Purpoſe whatſoever.

Perſons not to evade paying the Toll by going through By-Roads.

VI. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons having, or being in the Care, Management, or Occupation of any Lands adjoining or near to ſuch Road, ſhall willingly or wittingly ſuffer any Perſon or Perſons to take or make Uſe of any Roads or By-Paths through ſuch Lands, whereby to prevent the Payment of ſuch Toll or Duty as aforeſaid, the Perſon or Perſons ſo offending, as well the Owner or Occupier of ſuch Lands as the Party making Uſe of ſuch Artifice to avoid the Payment of the Toll or Duty aforeſaid, upon Complaint, in open Seſſion, or before Two or more of his Majeſty's

jeſty's Juſtices of the Peace for the Pariſh or Precinct where ſuch Offence ſhall be committed, and due Proof thereof made by Oath of one or more credible Witneſs or Witneſſes, or other probable Circumſtance, ſhall reſpectively forfeit to the ſaid Truſtees and Commiſſioners Six Times the Value of ſuch Toll or Duty, or Forty Shillings, at the Election of the ſaid Truſtees and Commiſſioners, or any Three or more of them; to be applied by them, or any Three or more of them, to the Uſe of this Act. And further, to prevent ſuch Frauds and Abuſes as aforeſaid, that it ſhall and may be lawful to and for the ſaid Truſtees and Commiſſioners, or any Three or more of them, to erect and place one or more Gate or Gates, Turnpike or Turnpikes, on the Side or Sides of the ſaid Road, croſs any Lane, Path, or Way, leading from the ſaid Road, and there to demand, levy, and take ſuch Toll or Duty, and to have ſuch Remedy for the ſame as aforeſaid, ſo as the ſame do not amount to a double Charge, or exacting for the one and the ſame Thing in one and the ſame Day. 1747.

VII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for ſuch Truſtees and Commiſſioners, or any Three or more of them, from Time to Time, as Occaſion ſhall require, by ſuch Warrant or Writing as aforeſaid, to appoint one or more Overſeer or Overſeers, Surveyor or Surveyors of the ſaid Roads, and one or more Receiver or Receivers, Collector or Collectors of the ſaid Toll or Duty, with ſuch reaſonable Sallary, Hire, or Reward as they ſhall think fit; and them or any of them ſo appointed to remove, and others in their Place and Stead to put; and that it ſhall and may be lawful to and for the ſaid Overſeer or Overſeers, Surveyor or Surveyors, or any of them, their Servants and Slaves, or any others by them commanded, ordered, or appointed to ſeek for, dig, carry away, and make Uſe of, for the making or repairing the ſaid Road, any Stones, Gravel, Sand, or other ſuch like Materials, in any common *Savannah* or other uncultivated Ground not incloſed, next adjoining or moſt convenient to ſuch Roads. Commiſſioners to appoint Overſeers, &c. of the Road.

VIII. Provided always, That nothing in this Act ſhall be conſtrued to extend to impower the ſaid Truſtees and Commiſſioners, or any Perſon or Perſons acting under them, or by virtue of this Act, either in the laying out, making or repairing the ſaid Road, to moleſt, diſturb, or treſpaſs upon any Perſon or Perſons whatſoever, or his or their Dwelling-houſe, Out-houſes or Curtelage, Works, Negroe-Houſes, Cane Pieces, Plantin Walks, or other Proviſion-Grounds, or in any Settlement, Pen, Pelinck, Paſture, or other incloſed Grounds whatſoever; but that upon Complaint made by any Perſon or Perſons ſo moleſted, injured, or treſpaſſed upon, in open Seſſion, or before Three or more of his Majeſty's Juſtices of the Peace for the Pariſh or Precinct where the ſame ſhall happen, it ſhall and may be lawful for the ſaid Juſtices in Seſſions, or for ſuch the ſaid Juſtices to whom ſuch Complaint ſhall be made, (and they are hereby ſtrictly injoined and required ſo to do) ſummarily to hear the Parties ſo complaining, and ſuch Witneſſes as they ſhall offer to produce upon Oath, as likewiſe the ſaid Truſtees and Commiſſioners, and the Perſons ſo appointed by them and their Witneſſes; and upon the Whole to make ſuch Order, either for the proceeding in the ſaid Work, or ſtaying the ſame, as to them ſhall ſeem meet; ſuch Order ſo made to be binding upon all Parties, till the ſaid Matter can be heard and determined, in the Supreme Court of Judicature of this Iſland, either by Action of Treſpaſs, to be brought by the Party ſo complaining, or by Removal of the ſaid Proceedings, either by *Certiorari*, at the Inſtance of the ſaid Commiſſioners, or any of them, as the Caſe ſhall happen or require. Proviſo.

IX. And be it further enacted by the Authority aforeſaid, That the Collector or Collectors, Receiver or Receivers ſo to be appointed by them the ſaid Truſtees and Commiſſioners, or any Three or more of them, ſhall and may demand, take, and receive the ſaid Toll and Duty, and all ſuch Remedy for the ſame as is herein beforementioned and expreſſed; and further, that the ſaid Collector and Collectors, Receiver and Receivers be, and are hereby made liable and accountable to the ſaid Commiſſioners and Truſtees, either according to ſuch particular Contracts as ſhall be made and ſhall ſubſiſt between them, or, in general, for all ſuch Collectors, &c. accountable to the Commiſſioners.

1747. ſuch Sums as they ſhall reſpectively receive, over and above ſuch Hire, Wages, or Salary, as is herein before mentioned and provided for.

Diſputes, how to be decided.

X. And be it further enacted by the Authority aforeſaid, That if it ſhall happen that any Diſpute ſhall ariſe between the ſaid Truſtees and Commiſſioners and the ſaid Receivers and Collectors, or any of them, or any other of their Deputies, Servants, or Subſtitutes, concerning the Sums received or to be accounted for, or otherwiſe, or for or concerning any other Thing whatſoever, that the ſame ſhall be decided and determined in ſuch Sort, Manner, and Form, and ſuch Order therein made, ſo to be obeyed and complied with, until the ſame ſhall be brought to a final Determination in the Supreme Court of Judicature of this Iſland, either on Removal of ſuch Proceeding by *Certiorari*, or other proper Action to be brought by the Party grieved, in ſuch Manner and Form as is herein beforementioned and provided.

XI. And for the further providing for the laying out and making the ſaid Road, and the Expences and Exigencies thereof; be it further enacted and ordained, by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Commiſſioners, and the Survivors, of them or any Three or more of them, from Time to Time, as Occaſion ſhall require, by Leaſe or Mortgage of the ſaid Tolls and Duties herein before laid, with Covenants, to execute the Powers herein given, or Aſſignment of the ſame, to raiſe any Sum or Sums of Money that ſhall be by them thought neceſſary for the Purpoſes aforeſaid.

Proviſo.

XII. Provided always, That this Act, and every Part thereof, ſhall be and remain of Force for the Term of Fourteen Years from the paſſing thereof, and from thence to the End of the next enſuing Seſſion of Aſſembly, and no longer.

XIII. And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed and taken to be a publick Act, and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and others, without ſpecially pleading the ſame.

An Act for regulating and ſettling the Livings of the Clergy, and aſcertaining the ſame, and giving the Biſhop of London *Eccleſiaſtical Juriſdiction over them.*

Act 152. WHEREAS the Proviſion made for the Maintenance of the Clergy, Incumbents of the greateſt Part of the ſeveral Pariſhes of this Iſland, is too ſcanty for a proper and ſuitable Maintenance, and there is a Neceſſity for augmenting the ſame; and Part thereof being precarious, depending on the Pleaſure of the Juſtices and Veſtry of the ſeveral Pariſhes, the Clergy are thereby thrown into an improper State of Dependence: And whereas the Biſhop of *London*, who claims to be Dioceſan of this Iſland, and to have Coercion over the Clergy here, hath never been admitted to the Exerciſe of any Spiritual Juriſdiction whatever, but ſtands excluded therefrom by the Laws of this Iſland; in order that the Incumbents of the ſeveral Pariſhes in this Iſland may be enabled to live in a decent and comfortable Manner, and in ſuch a State of Independence as is fit and ſuitable to their Spiritual Vocation; and in caſe of their falling into Vice and Immorality, or offending againſt the Canons of the Church, to the Scandal of their Holy Function, that the ſame may be corrected and reformed, as appertains to the decent and orderly Government and Honour of the Church, by a regular and legal Juriſdiction in the Premiſſes; may it pleaſe your Majeſty that it may be enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*; and be it enacted by the Authority aforeſaid, That the Incumbent of every reſpective Pariſh hereafter mentioned ſhall receive of the Church-warden or Church-wardens of each reſpective Pariſh ſuch Sums of Money as is herein after directed, every ſix Months, by equal Portions ſo to be raiſed and collected as is directed in and by an Act, entituled, *An Act for the Maintenance of Miniſters and the Poor, and erecting and repairing of Churches*, viz. To the Incumbent of the Pariſh of St. *Catherine*, Three hundred Pounds; to the Incumbent of the Pariſh of St.

Annual Stipends of the Clergy regulated.

1748.

St. *Thomas in the Vale*, Two hundred Pounds; to the Incumbent of the Pariſh of St. *Dorothy*, Two hundred Pounds; to the Incumbent of the Pariſh of *Kingston*, Two hundred and fifty Pounds; to the Incumbent of the Pariſh of *Vere*, Two hundred Pounds; to the Incumbent of the Pariſh of *Clarendon*, Two hundred and fifty Pounds; to the Incumbent of the Pariſh of *Port Royal*, Two hundred Pounds; to the Incumbent of the Pariſh of St. *Andrew*, Two hundred Pounds; to the Incumbent of the Pariſh of St. *John*, Two hundred Pounds; to the Incumbent of the Pariſh of St. *Thomas in the Eaſt*, Two hundred and fifty Pounds; to the Incumbent of the Pariſh of St. *David*, One hundred Pounds; to the Incumbent of the Pariſh of St. *George*, One hundred Pounds; to the Incumbent of the Pariſh of St. *Mary*, Two hundred Pounds; to the Incumbent of the Pariſh of St. *Anne*, Two hundred Pounds; to the Incumbent of the Pariſh of St. *James*, Two hundred Pounds; to the Incumbent of the Pariſh of St. *Elizabeth*, Two hundred Pounds; to the Incumbent of the Pariſh of *Weſtmoreland*, Two hundred and fifty Pounds; to the Incumbent of the Pariſh of *Hanover*, Two hundred Pounds; and to the Incumbent of the Pariſh of *Portland*, One hundred Pounds Currency: And the Juſtices and Veſtry in every Pariſh are hereby reſtrained from granting any additional Salary, or levying the ſame upon the Inhabitants of their reſpective Pariſhes; any Law to the contrary hereof notwithſtanding: And the Juſtices and Veſtry of each Pariſh in this Iſland, where there is no Parſonage-houſe, are hereby impowered and required to hire a good Houſe for the Miniſter or Rector, provided the Rent of the ſame exceed not the Value of Fifty Pounds *per* Year; and in caſe they cannot hire a good and proper Houſe, they are then impowered and required to buy or build one, provided the Charge of Building or Buying the ſame amount not to an Expence exceeding the Value of Five hundred Pounds; and where there ſhall be a Neceſſity of Building or Buying, the Juſtices and Veſtry ſhall in open Veſtry receive the Propoſals of all ſuch who ſhall offer to ſell to, or build for the Pariſh, and agree to ſuch as ſhall be then and there judged moſt reaſonable, if they ſhall think any of them proper to be agreed to.

Veſtries reſtrained from granting any additional Salary.

II. And be it alſo enacted, That it ſhall and may be lawful for the Biſhop of *London* to exerciſe ordinary Juriſdiction in this Iſland, as far as the ſame appertains to the Eccleſiaſtical Regimen of the Clergy only; any Law to the contrary thereof notwithſtanding.

Biſhop of *London*'s Juriſdiction,

III. Provided nevertheleſs, That this Act, nor any thing therein contained, be extended or conſtrued to extend, to give or grant any juridical Authority or Coercion, either Spiritual or Temporal, over the Lay Inhabitants of this Iſland, in any Manner or Form whatſoever; or to controul, abridge, or alter the Juriſdiction of the Governor or Commander in Chief of this Iſland for the Time being as Ordinary of the ſame; or to exerciſe or interfere in the ſame in any Suit or Inſtance for Probate of Wills, and granting Letters Teſtamentary, and Letters of Adminiſtration, and Letters of Guardianſhip or Repeal, or Revocation of any of them, or in any other Manner or Form whatſoever; or with reſpect to the Preſentation or Induction to the ſeveral Churches or Pariſhes in this Iſland, or any Power or Authority, juridical or otherwiſe, uſually exerciſed by the Governor or Commander in Chief, as Ordinary thereof, in any Manner or Form whatſoever.

how far to extend.

IV. And whereas Doubts may ariſe upon the Conſtruction of an Oath appointed by an Act for regulating Elections, to be taken before any Perſon, whoſe Qualification or Freehold is challenged, ſhall be admitted to vote at the Election of Members; which Oath divers Beneficed Miniſters have ſcrupled to take, and thereby have been deprived of the Rights and Privileges of Freeholders, which they ought to have and enjoy; be it therefore enacted by the Authority aforeſaid, That all Rectors of Pariſhes or Beneficed Miniſters in this Iſland ſhall be deemed and adjudged, and they are hereby declared to be Freeholders, to all Intents and Purpoſes whatſoever; and ſhall be accordingly admitted to vote as ſuch at any future Election of any Member of the Aſſembly within their reſpective Pariſhes, without taking the aforeſaid or any Oath whatſoever; any thing contained in the ſaid Law to the contrary notwithſtanding.

Beneficed Miniſters adjudged Freeholders; and admitted to vote at Elections, without taking the Oath.

1748. V. And be it further enacted by the Authority aforeſaid, That this Act ſhall take Place and be in Force from the Twenty-eighth Day of *June* in the Year of our Lord One thouſand ſeven hundred and forty-eight.

An Act for making free Negroes, Indians, *and* Mulattoes *Evidence in all Cauſes againſt one another, in all the Courts of this Iſland.*

Act 153. WHEREAS great Doubts have ariſen, how far free Negroes, *Indians*, and *Mulattoes* may be Evidence againſt one another, in the ſeveral Courts of this Iſland; from whence great Inconveniencies do and may ariſe, ſuch of them as are born free not being liable to be tried before the Juſtices and Freeholders, as Slaves and Perſons manumitted are: For Remedy whereof, may it pleaſe your Majeſty that it may be enacted; be it therefore enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted by the Authority of the ſame, That all free Negroes, *Indians*, and *Mulattoes*, ſhall be, and are hereby made good Evidence, in all Cauſes and Controverſies, in all the Courts of this Iſland, againſt one another; and all Courts are hereby authorized to receive their Teſtimony on Oath, in that Behalf, in the ſame Manner as if they were White Inhabitants of this Iſland.

Free Negroes, &c. good Evidence againſt each other.

Proviſo. II. Provided that this Act be not conſtrued to extend to admit their Evidence againſt any Negroes, *Indians*, or *Mulattoes*, that have the Liberties of White Perſons, by any Law of this Iſland, in any Caſe whatſoever.

III. And be it further enacted by the Authority aforeſaid, That ſo much and ſuch Part of the Act of the Governor, Council, and Aſſembly of this Iſland, entituled, *An Act for the better Order and Government of Slaves*, which ſubjects Negroes born Slaves and afterwards manumitted to be tried for any Crimes by Two Juſtices of the Peace and Three Freeholders, be, and ſtand repealed; and that for the future all ſuch Negroes, *Indians*, or *Mulattoes*, who have been, or ſhall be manumitted by their Maſters, or otherwiſe, ſhall be tried for all Offences, in the ſame Manner as if they were born free; any Thing in the ſaid Act, or in any other Act, Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Manumitted Slaves to be tried as if born free.

Proviſo. IV. Provided nevertheleſs, That no Negroe, *Indian*, or *Mulatto*, who ſhall be made free, ſhall be admitted to give Evidence by virtue of this Law, unleſs he has been manumitted or made free for the Space of ſix Months before the Time he ſhall be produced to give his Teſtimony; any Thing herein before contained to the contrary notwithſtanding.

Puniſh'd for Perjury. V. And be it further enacted by the Authority aforeſaid, That if any ſuch Negroe, *Indian*, or *Mulatto*, ſhall in any Cauſe, where he ſhall give his Teſtimony, be guilty of Perjury, he ſhall ſuffer ſuch Pains and Penalties, upon being legally convicted thereof, as Perſons guilty of wilful and corrupt Perjury are by Law liable to.

An Act for cauſing the Streets, Ways, and Avenues leading into and out of the Town of St. Jago de la Vega *to be cleanſed; and for keeping the ſame conſtantly clean, and in good Repair.*

Act 154. WHEREAS the Streets of the Town of St. *Jago de la Vega*, and the Paths, Ways, Roads, and Avenues immediately leading into and out of the ſame, are greatly incumbered, and in particular Places almoſt choaked up by Dunghills, and other Filth, and by the great Number of Penguin Fences, and Poponax, and other Trees and Buſhes growing in and about the ſame, which harbour Vermin of all Kinds; and ſuch Lots of Land as are not built on, but lye open, are converted into Places for depoſiting the Dung and Rubbiſh of the Town, to the great Annoyance of the Inhabitants; whereas, if the ſame were kept clean and open, and ſome proper Places, at convenient Diſtances, appointed for the laying and depoſiting of ſuch Filth, Dung and Rubbiſh as ſhall be made in the ſaid Town, and ſuch Penguins, Poponax, and other Trees and Buſhes rooted up, and the Streets, and ſuch Part of the Ways and Avenues immediately leading into and

and out of the ſame, kept clean and open, it would greatly contribute to the Healthineſs and Convenience of the Inhabitants; may it pleaſe your Majeſty, that it may be enacted; and be it enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, That the Juſtices and Veſtry of the Pariſh of St. *Catherine* be authorized and impowered, and they are hereby authorized and impowered to contract and agree with a proper Perſon or Perſons, at a certain Sum, who will undertake the ſame, to cleanſe the Streets, and ſuch Part of the Ways, Paths, Roads, and Avenues, that are immediately joining on and leading into the ſame, and the vacant Lots of Land that are in the ſaid Town, or any Part of the ſame; and to remove and carry away all the Filth and Dunghills, and Rubbiſh of all Kinds, that are in and among the ſame; and to root up, cut down, and deſtroy all ſuch Penguin Fences, Poponax, and other Trees and Buſhes, and other Impediments as are in the ſaid Streets, Roads Ways, and Avenues, in or immediately joining to, and leading into and out of the ſaid Town, or any Part of the ſame; and to carry and depoſit the ſame in ſuch Place or Places as ſhall be aſſigned by the ſaid Juſtices and Veſtry for that Purpoſe; and alſo to agree with ſuch Perſon or Perſons, from Year to Year, jointly or ſeparately, for ſuch Sum or Sums of Money as they ſhall judge convenient, for ſuch Term as they ſhall judge convenient for the keeping the ſaid Streets, Ways, Roads, Paths, and Avenues, and vacant Lots of Land, or ſuch particular Parts thereof as they agree upon, conſtantly clean and free from all Dung, Filth, Rubbiſh, Penguins Poponax, and other Trees and Buſhes, and other Impediments; and likewiſe to keep the ſame conſtantly in good Repair: And for that Purpoſe the Juſtices and Veſtry are hereby authorized to divide the ſaid Town into as many Diſtricts or Diviſions as they ſhall think fit, and to aſcertain the ſame, by entering the ſame in the Veſtry-book, or ſuch other Method as they ſhall judge moſt convenient. 1748.

Juſtices and Veſtry to contract with Perſons for cleaning the Streets, &c.

II. AND be it alſo enacted, That ſuch Perſon or Perſons, with whom the Juſtices and Veſtry ſhall agree, as aforeſaid, ſhall be called the Town-warden, if only one, and Town-wardens, if more than one; and the ſaid Juſtices and Veſtry are hereby authorized to raiſe ſuch Sums from Year to Year, or otherwiſe, for the Purpoſes aforeſaid, as they ſhall agree, under their Hands and Seals, to pay ſuch Town-warden or Wardens, as ſhall be appointed and agreed with from Time to Time, in Manner afore-mentioned, by a Poll Tax upon the ſeveral Houſe-Negroes employed in the ſaid Town; which Negroes are to be given in upon Oath by the reſpective Houſe-keepers, at a Veſtry to be appointed by the ſaid Juſtices and Veſtry, and ſo annually at ſuch Time or Times as ſhall be appointed for that Purpoſe; and in caſe any Houſe-keepers ſhall not at ſuch Veſtry or Veſtries, ſo to be appointed, give in the Number of their Houſe-Negroes, or other Slaves, ſuch Defaulter ſhall be rated at ſuch a Number as the Juſtices and Veſtry ſhall judge is employed in and about the Houſe of ſuch Defaulter; or that the ſame be raiſed by a Rate upon Houſes, to be impoſed by the Juſtices and Veſtry in the moſt equal Manner as they ſhall judge moſt convenient.

And raiſe Money by a Poll-Tax.

III. AND be it enacted, That the ſaid Juſtices and Veſtry ſhall, at the Meeting herein after mentioned, conſider of fit and proper Places for carrying and depoſiting the Dung, Filth and Rubbiſh of the ſaid Town, and ſhall aſſign as many ſuch Places as they ſhall judge fit and proper for that Purpoſe; which ſeveral Places they ſhall cauſe to be entered in their Veſtry-book, and give publick Notices, and cauſe the ſame to be affixed at the Court-houſe in the ſaid Town, that the ſeveral Inhabitants may be the better acquainted therewith; and after ſuch Notices ſhall be affixed and given as aforeſaid, that no Dung, Filth, broken Bottles, Shavings, or any other Kind of Rubbiſh, ſhall be laid in any of the Streets or Avenues of the ſaid Town, or on Lots of Land that lye open in and about the Town, by any Perſon or Perſons, free or Slaves, whatſoever, but that the ſame be carried to ſuch Places as ſhall be ſo aſſigned for that Purpoſe by the Juſtices and Veſtry as aforeſaid, and laid, dropt, or depoſited in no other Place whatſoever; on Pain of Forfeiture of Forty Shillings, to be paid by ſuch Inhabitants, or the Maſter or Miſtreſs of ſuch Servant or Slave as ſhall offend in the Premiſſes, to the Town-warden or Wardens; the ſame to be recovered in a ſummary Way before a Juſtice of the Peace in the ſaid Town, who is hereby impowered and required, on Complaint of

To appoint Places for throwing Rubbiſh.

Penalty on throwing it elſewhere.

1748. of the ſaid Town-warden or Wardens, to ſummon ſuch Inhabitant, or Maſter or Miſtreſs of ſuch Servant or Slave who ſhall offend in the Premiſſes, to ſhew Cauſe, on a Day to be appointed in ſuch Summons, not exceeding ſeven Days from the Time of the Complaint made, why he or ſhe ſhould not pay the ſaid Forty Shillings to the Town-warden or Wardens; which Summons ſhall be ſerved four Days before the Day therein to be mentioned for ſhewing Cauſe, by leaving a Copy thereof with the Party, or at their Dwelling-houſe, ſuch Party ſo ſummoned then being in the ſaid Town; and in caſe the Party ſummoned does not appear at the Day, or if he does appear, and it ſhall be proved before ſuch Juſtice, by the Oath of one lawful Witneſs, that ſuch Inhabitant, or his or her Servant, or Slave or Slaves, had offended in the Premiſſes, by laying, dropping, or depoſiting any Dung, Filth, broken Bottles, Shavings, or any other Rubbiſh, in any other Place in and about the ſaid Town, than the Places ſo to be aſſigned for that Purpoſe, as aforeſaid, ſuch Juſtice ſhall forthwith, unleſs the ſaid Forty Shillings, for every ſuch Offence, be paid before him to the ſaid Town-warden or Wardens, iſſue his Warrant for raiſing the ſame, by the Diſtreſs and Sale of the Goods and Chattels of ſuch Perſon ſo liable to pay the ſame, together with Fifteen Shillings for the Charges.

Proviſo. IV. Provided nevertheleſs, That if the Maſter or Miſtreſs ſo ſummoned, ſhall deliver up any Slave or Slaves complained of, and proved to have offended in the Premiſſes, to the Juſtice before whom ſuch Complaint ſhall be made, to be publickly puniſhed for ſuch Offence as ſuch Juſtice in his Diſcretion ſhall think fit; in ſuch Caſe, ſuch Maſter or Miſtreſs ſhall be excuſed from the ſaid Forfeiture of Forty Shillings; provided that no Summons ſhall be iſſued, unleſs the Complaint be made in a Week after the Offence committed, in caſe the Party liable to the Forfeiture ſhall be then in Town, otherwiſe at any Time after within a Week, when the Party liable ſhall be in the ſaid Town.

V. And for the more effectual carrying this Law into Execution, be it enacted by the Authority aforeſaid, That the Juſtices and Veſtry, at their firſt Meeting, after paſſing of this Act, appoint a certain Day, within ſix Weeks, for their meeting again, to put this Act in Execution; and that at ſuch firſt Meeting they cauſe publick Notices to be given, that on ſuch Day, ſo by them to be appointed, they will receive Propoſals, treat and agree with ſuch Perſon or Perſons who to them ſhall ſeem moſt fit, and who is or are willing to be Town-warden or Wardens, purſuant to the Tenor of this Act; and the ſaid Juſtices and Veſtry, at ſuch ſecond Meeting, are hereby required to aſſign under their Hands ſuch Places for the depoſiting of the Dung, Filth, and Rubbiſh of the ſaid Town, purſuant to the Meaning of this Act, as herein before is mentioned.

Town-wardens to give Bond for Performance of Duty. VI. And be it alſo enacted, That whatever Perſon or Perſons the Juſtices and Veſtry ſhall agree with, and who ſhall become Town-warden or Wardens, according to ſuch Agreement, ſhall enter into Bond to his Majeſty, his Heirs and Succeſſors, in the Penalty of Three hundred Pounds, conditioned for his and their performing his or their Duty, as Town-warden or Wardens, according to his or their Agreement, and purſuant to the Intent of this Act; and the ſaid Juſtices and Veſtry are further required and impowered, at their laſt uſual Meeting, which ſhall immediately be before the Expiration of every Year, or any particular Term they ſhall agree for, in regard to the ſaid Office of Town-warden or Wardens, to agree again with ſome proper Perſon or Perſons for executing the ſaid Office or Offices, and for their immediate entering on the Execution of the ſame, at the End and Expiration of the Year, or other Term, which was agreed on between the Juſtices and Veſtry and the other Town-warden or Wardens, in the ſame Manner and Form as is before mentioned; that the ſaid Town may perpetually be kept clean and decent, according to the Intent of this Act. Any Magiſtrate or Veſtry-man neglecting his Duty in executing of this Act, ſhall, for every ſuch Offence, forfeit One hundred Pounds to his Majeſty, to be recovered by an Action of Debt or Information in the Grand Court; provided, that no Perſon ſhall be liable to be rated to the Poll-Tax for cleaning the ſaid Town, but thoſe who employ three Negroes, or other Slaves, and upwards, in and about their Houſes in the ſaid Town, or Perſon charged by Way of Rate upon his or her Houſe, who does

Penalty on Juſtices and Veſtry-men neglecting their Duty.

not

not pay upwards of Twenty Pounds *per Annum* Rent, or live in an Houſe of upwards of that Value *per Annum*. 1748.

VII. Provided always, If any Diſpute or Difference ſhall ariſe, touching what Part of the Ways, Paths, Roads, and Avenues that are immediately joining on, and leading into, or out of the ſaid Town, are to be kept clean and repaired by the Town-warden or Wardens, purſuant to the Intent and Meaning of this Act, the ſame ſhall be fixed and aſcertained by the Juſtices and Veſtry, who are hereby authorized to fix and aſcertain the ſame. Proviſo.

An Act for the more effectual carrying into Execution a Clauſe in an Act, entituled, An Act for encouraging White People to come over and become Settlers in this Iſland; and for the more eaſy and ſpeedy ſettling the North-Eaſt Part thereof, for making *Port Antonio* a Port of Entry and Clearance of all Ships or Veſſels. 1749.

Act 155.

WHEREAS, by an Act of Parliament made in the Fifteenth Year of the Reign of his Majeſty King *Charles* the Second, entituled, *An Act for the Encouragement of Trade*; it was, among other Things, enacted, That from and after the Twenty-fifth Day of *March*, One thouſand ſix hundred ſixty and four, every Perſon or Perſons importing by Land any Goods or Commodities whatſoever, into any the Lands, Iſlands, Plantations, Colonies, Territories, or Places in the ſaid Act mentioned, ſhould deliver to the Governor of ſuch Land, Iſland, Plantation, Colony, Territory, or Place, or to ſuch Perſon or Officer as ſhould be by him thereunto authorized and appointed, within Four and twenty Hours after ſuch Importation, his and their Names and Sirnames, and a true Inventory and Particular of all ſuch Goods or Commodities; and no Ship or Veſſel coming to any ſuch Land, Iſland, Plantation, Colony, Territory or Place, ſhould lade or unlade any Goods or Commodities whatſoever, until the Maſter or Commander of ſuch Ship or Veſſel ſhould firſt have made known to the Governor of ſuch Land, Iſland, Plantation, Colony, Territory, or Place, or ſuch other Perſon or Officer as ſhould be by him thereunto authorized and appointed, the Arrival of the ſaid Ship or Veſſel, with her Name, and the Name and Sirname of her Maſter or Commander, and have ſhewn to him that ſhe is an *Engliſh* built Ship, or made good, by producing ſuch Certificate as in the ſaid Act is mentioned, and have delivered to ſuch Governor, or other Perſon or Officer, a true and perfect Inventory or Invoice of her Lading, together with the Place or Places in which the ſaid Goods were laden, or taken into the ſaid Ship or Veſſel: And whereas, by an Act of the Governor, Council, and Aſſembly of this Iſland, entituled, *An Act requiring all Maſters of Ships and Veſſels to give Security in the Secretary's Office*, it was, among other Things, enacted and ordained, That the Maſter of every Ship or Veſſel, or ſome other for him, in caſe of Diſability, before he trade within this Iſland, or land any Goods on the ſame (living Creatures only excepted) ſhould wait upon the Governor or Commander in Chief for the Time being, and give Security in the Secretary's Office, with one ſufficient Freeholder or well known Merchant (ſuch as by common Repute is held to be worth ſo much) in the Sum of One thouſand Pounds current Money of this Iſland, that he ſhall not carry off this Iſland any Perſon, without the Governor's Ticket, nor depart himſelf with his Ship or Veſſel without the Governor's Leave, under the Penalty of Fifty Pounds current Money of this Iſland; which Security the Secretary of this Iſland for the Time being is thereby impowered to take: And whereas, in and by an Act of the Governor, Council, and Aſſembly of this Iſland, entituled, *An Act for encouraging white People to come over and become Settlers in this Iſland, and for the more eaſy and ſpeedy ſettling the North-eaſt Part thereof*; it was, among other Things, enacted, That for the Encouragement of Trade, and the Conveniency of the Town of *Titchfield*, and Pariſh of *Portland*, therein mentioned, from and after the Firſt Day of *December*, which ſhould be in the Year of our Lord One

1749. thouſand ſeven hundred and twenty-ſix, the Port called *Port Antonio* ſhould be a Port of Entry and Clearance of all Ships or Veſſels; notwithſtanding which ſaid laſt mentioned Act, it hath been impracticable for any Ships or Veſſels to enter in or clear from the ſaid Port, for Want of a regular Appointment of ſuch Officers as are neceſſary for entering and clearing Ships or Veſſels in and from the ſaid Port; and for that it would be very inconvenient, by reaſon of the Diſtance of the ſaid Port from St. *Jago de la Vega*, and the Roads frequently being impaſſable in rainy Seaſons, for the Maſters of Ships and Veſſels entering in the ſaid Port, or any others for them, to wait upon the Governor or Commander in Chief for the Time being, before they trade within this Iſland, or land any Goods on the ſame, or in order to their clearing out, or to give ſuch Security to the Secretary of this Iſland for the Time being, in his proper Perſon, his uſual Reſidence being neceſſarily in the Town of St. *Jago de la Vega*, as required in and by the ſaid Act, entituled, *An Act requiring all Maſters of Ships and Veſſels to give Security in the Secretary's Office*, in the Time limited in and by the ſaid Act. And whereas, it would be not only a great Benefit to the ſaid Town and Pariſh, but to the North-ſide of the Iſland in general, that the Clauſe in the ſaid recited Act for making *Port Antonio* a Port of Entry and Clearance, ſhould be made effectual and carried into Execution; may it pleaſe your Majeſty, that it may be enacted, and be it therefore enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, That the Governor or Commander in Chief of this Iſland do, on or before the Firſt Day of *November* next enſuing, authorize and appoint ſuch a Perſon or Officer, within the Intent or Meaning of the ſaid in Part recited Act of Parliament, to be Reſident at *Port Antonio*, and there, for and on Behalf of the Governor or Commander in Chief for the Time being, to receive the Reports of ſuch Perſons, Maſters of Ships, and others, that ſhall import any Goods or Commodities whatſoever, or bring any Ship or Veſſel to lade or unlade any Goods or Commodities in this Iſland, as by the ſaid Act is particularly required to be made to the Governor, or to ſuch Perſon or Officer as ſhall be by him thereunto authorized and appointed; and in caſe of the Death or Removal of ſuch Perſon or Officer, that the Governor or Commander in Chief for the Time being do forthwith, and from Time to Time, as there ſhall be Occaſion, appoint ſome other proper Perſon or Officer to ſucceed the Perſon or Officer ſo dying or removed, ſo that Ships or Veſſels may be at all Times admitted to enter and clear in and from the ſaid Port, without the Maſters of ſuch Ships or Veſſels, or any Perſons on their Behalf, being under the Neceſſity of going to any other Part of the Iſland, to wait upon the Governor or Commander in Chief for the Time being; any Law or Uſage to the contrary notwithſtanding.

Governor to appoint a Perſon to reſide at *Port Antonio*, to receive the Reports of Maſters of Ships, &c.

Receiver General, Secretary, and Collector, to keep their Offices at *Port Antonio*.

II. And be it alſo enacted, That the Receiver-General, the Secretary of this Iſland, and the Collector of the Cuſtoms, ſhall by themſelves, or their reſpective lawful Deputies, to be thereunto particularly appointed from and after the Firſt Day of *November* next enſuing; and ſuch Perſon or Officer ſo authorized and appointed by the Governor or Commander in Chief for the Time being, by virtue of the ſaid in Part recited Act of Parliament, ſhall keep their reſpective Offices at *Port Antonio*, and give Attendance in ſuch their reſpective Offices, in the ſame Manner and under the like Penalties, in caſe of Non-attendance, as the Receiver-General, Secretary, and Naval Officer are reſpectively obliged to give in the Town of *Kingston*, by virtue of an Act of the Lieutenant-Governor, Council, and Aſſembly of this Iſland, entituled, *An Act for making* Kingſton *a Pariſh*.

Their Deputies Authority there.

III. And be it alſo enacted, That the Perſon or Officer to be appointed by the Governor or Commander in Chief for the Time being, and the reſpective Deputies of the Receiver-General, and Collector of the Cuſtoms, have reſpectively the ſame Authority in the ſaid Port as the Receiver-General, Collector of the Cuſtoms, and Naval Officer, reſpectively have and exerciſe in *Kingston*, or elſewhere, by virtue of an Act of the Governor, Council, and Aſſembly of this Iſland, entituled, *An Act for granting a Revenue to his Majeſty, his Heirs and Succeſſors, for the Support of the Government of this Iſland; and for reviving and perpetuating the Acts and Laws thereof.*

IV. And

1749.

IV. And be it alſo enacted, That all Maſters of Ships or Veſſels that ſhall enter in the ſaid Port, ſhall be at Liberty to give in Security, as is required by the Act herein before mentioned, entituled, *An Act requiring all Maſters of Ships and Veſſels to give Security in the Secretary's Office, before the Deputy of the Secretary of this Iſland for the Time being, who ſhall be appointed at* Port Antonio, *by virtue of this Act, who is hereby required to tranſmit ſuch Securities every three Months to the Secretary's Office in St.* Jago de la Vega, *to be filed there.* Provided notwithſtanding, That in caſe any Ship or Veſſel entering in the ſaid Port, and regularly cleared out from thence by the ſeveral Officers there; and the Maſter of ſuch Ship or Veſſel have Leave, under the Hand and Seal of the Perſon or Officer ſo to be appointed by the Governor or Commander in Chief for the Time being, to depart with his Ship or Veſſel; and ſuch Maſter ſhall thereupon depart with his Ship or Veſſel, without any further or other Leave from the Governor, ſuch Departure ſhall not be deemed to be a Breach of the Condition of ſuch Security, ſo required to be entered into by the Maſters of Ships or Veſſels, as aforeſaid; any Thing in the ſaid laſt mentioned Act, or any Law, Uſage, or Cuſtom to the contrary notwithſtanding.

Maſters of Veſſels entering, to give Security there.

Proviſo.

V. And be it alſo enacted, That the Deputies ſo to be appointed by the Receiver General, Secretary, and Collectors of the Cuſtoms, for keeping their Offices reſpectively at *Port Antonio*; and the Perſon or Officer to be authorized and appointed by the Governor, or Commander in Chief for the Time being, ſhall receive for their Salary reſpectively the Sum of Seventy Pounds *per Annum*, to be paid them by the Receiver General for the Time being out of the Surpluſes of ſuch Funds as ſhall at any Time be unappropriated in his Hands.

Deputies Salaries.

VI. And be it alſo enacted, That all Ships or Veſſels entering in the ſaid Port, from any Place to the Northward of the Tropick of *Cancer*, ſhall be at Liberty to pay the Gun-powder that ſhall be due from ſuch Ships or Veſſels, by virtue of the Act herein before mentioned, entituled, *An Act of the Governor, Council, and Aſſembly of this Iſland, for granting a Revenue to his Majeſty, his Heirs and Succeſſors, for the Support of the Government of this Iſland; and for reviving and perpetuating the Acts and Laws thereof*, into the Hands of the Receiver General's Deputy at the ſaid Port, to be lodged in the Magazine of and for the Uſe of the Fort there; any Law or Cuſtom to the contrary notwithſtanding; who is hereby required to keep a particular Account of the ſame.

Gun-powder Duty to be paid there.

An Act for amending and rendering more effectual an Act, entituled, An Act for cauſing the Streets, Ways, and Avenues leading into and out of the Town of St. *Jago de la Vega*, to be cleanſed; and for keeping the ſame conſtantly clean, and in good Repair.

Act 156.

WHEREAS, by an Act, entituled, *An Act for cauſing the Streets, Ways, and Avenues leading into and out of the Town of St.* Jago de la Vega *to be cleanſed; and for keeping the ſame conſtantly clean, and in good Repair*; the Juſtices and Veſtry of the Pariſh of St. *Catharine* are authorized and impowered to levy a Tax upon Houſe-Negroes, or a Rate upon Houſes, in order to defray the Expences of carrying the ſaid Act into Execution; and whereas, by the ſaid Act, no particular Method is ſpecified and ſet forth, how and by what Means ſuch Tax upon Houſe-Negroes, or Rate upon Houſes, ſhall be ſo collected and gathered, nor the Manner by which the ſaid Juſtices and Veſtry ſhall compel the Payment of the ſame: For Remedy whereof, we your Majeſty's moſt dutiful and loyal Subjects, the Aſſembly of this your Majeſty's Iſland of *Jamaica*, do moſt humbly beſeech your Majeſty, that it may be enacted; and be it enacted by the Governor, Council, and Aſſembly of the Iſland aforeſaid, and it is hereby enacted and ordained by the Authority of the ſame, That every Tax or Taxes upon Houſes, Negroes, or Rate or Rates on Houſes, which have been already, or hereafter ſhall be allotted, made or laid, by virtue of the ſaid Act, ſhall be collected, gathered and paid, by Warrant from Two or more of his Majeſty's Juſtices of the Peace, in the ſame Manner, and with the like Power of Diſtreſs, and all other Powers

Manner of collecting the Tax upon Houſes, Negroes, &c.

1749. Powers by which the Rate commonly called the Pariſh Tax, is or hath been gathered, collected, and paid, or may ſo be by any Law now in being; and with the ſame Allowance and Commiſſion for gathering, collecting, and receiving the ſame, as is allowed, or allowable by Law, for gathering, collecting, and receiving the Pariſh Tax aforeſaid.

Town-Wardens to remove Penguins.

II. And be it further enacted by the Authority aforeſaid, That no Penguins ſhall be for the future planted within the ſaid Town of St. *Jago de la Vega*, and all that are already growing, or which hereafter ſhall be growing within the ſame, ſhall be removed and taken away by the Town-Wardens, appointed or to be appointed by virtue of the afore-mentioncd Act; and the ſaid Town-Wardens ſhall be paid by the Juſtices and Veſtry, out of the Rates or Taxes they ſhall raiſe by virtue of the ſaid Act, ſuch Sum or Sums of Money for doing the ſame as ſhall be agreed upon between them and the ſaid Town-Wardens.

Proviſo.

III. Provided always, and be it enacted by the Authority aforeſaid, That the ſaid Town-Wardens ſhall not remove or take away any Penguins from the Land of any Perſon or Perſons within the ſaid Town, before the Firſt Day of *November* next enſuing.

An Act for the better and more effectual Encouragement of White Families to become Settlers in this Iſland; and for giving a Bounty to certain Artificers to come over and exerciſe their ſeveral Trades.

Act 157. WHEREAS nothing can tend more to the Security and Proſperity of this Iſland than the introducing of White Inhabitants, and foraſmuch as the many Laws heretofore made have not effectually anſwered the good Purpoſes thereby intended; may it therefore pleaſe your moſt Excellent Majeſty that it may be enacted; be it enacted by the Governor, Council, and Aſſembly of this your Majeſty's ſaid Iſland of *Jamaica*, and it is hereby enacted and ordained by the Authority of the ſame, That his Excellency *Edward Trelawney*, Eſq; Governor and Commander in Chief of this his Majeſty's Iſland, or the Governor or Commander in Chief for the Time being, the Honourable *John Gregory*, Eſq; the Honourable Sir *Simon Clarke*, Baronet, the Honourable *Hampſon Nedham*, the Honourable *Thomas Rodon*, the Honourable *Edmund Hyde*, the Honourable *John Gale*, the Honourable *Benjamin Hume*, the Honourable *Iſaac Gale*, and the Honourable *Charles Dawes*, Eſqrs. Members of his Majeſty's Council, and all the Members of his Majeſty's Council for the Time being; the Honourable *Charles Price*, Eſq; Speaker of the preſent Aſſembly, or the Speaker of the Aſſembly for the Time being, *Andrew Arcedeckne*, *Roſe Fuller*, *William Morris*, *William Jones*, *Henry Archbould*, *Robert Arcedeckne*, *Edward Manning*, *James Ord*, *Leucock Griffin*, *Benjamin Puſey*, *Joſeph Morris*, *John Pallmer*, *Robert Bennett*, *Thomas Fearon*, junior, *Moſes Kellett*, *Richard Cargill*, *George Booth*, *William Hicks*, *Robert Duckinfield*, *John Morſe*, *John Hall*, *Philip Pinnock*, *John Dunſton*, *Henry Moore*, *Ballard Beckford*, *Samuel Whitehorne*, *William Lewis*, *William Hall*, *Francis Sadler Hals*, *Richard Beckford*, *Richard Quarrell*, *Edward Clarke*, *Norwood Witter*, *Barnart Andreas Woodſtock*, *Benjamin Blakes*, junior, *William Pecte*, *Daniel Peyton*, *William Wynter*, *Robert Penny*, and *William Dawkins*, Eſqrs. Members of the preſent Aſſembly, and all the Members of the Aſſembly for the Time being, be, and they, and the Survivors of them, are hereby nominated and appointed Commiſſioners for the introducing, ſupporting, and ſettling all Perſons who ſhall or may be imported, or come over into this Iſland, in order to become Settlers under the ſeveral Encouragements in this Act mentioned: And that it ſhall and may be lawful to and for the ſaid Commiſſioners, and the Survivors of them, or any Five or more of them, by Writing under their Hands, to depute or appoint Agents in the Kingdom of *Great Britain*, or elſewhere, to treat and agree with any Family or Families of White People to come over and reſide in this Iſland; and to make Contracts or Agreements with any Maſters or Owners of Ships or Veſſels for the Embarkation and bringing ſuch Families over, and

Commiſſioners appointed;

impowered to appoint Agents in *Great Britain*, &c.

this Act, and according to the Tenor and Condition of the aforeſaid Bond, in ſuch Caſes where any Bonds have been entered into, as aforeſaid. 1749.

VII. And be it further enacted by the Authority aforeſaid, That as well the ſaid Families, who ſhall be imported by and received from the Commiſſioners appointed by this Act, as alſo all ſuch Families as ſhall be imported at the Expence of private Perſons, although ſuch Perſons and Families ſhall not be obliged to do or perform any perſonal Duty or Service, to or for ſuch Perſons ſo taking and importing, and providing for them; yet, that every Perſon and Perſons, in each and every of the ſaid Families, ſhall be allowed to ſave a Deficiency for the Party taking and receiving ſuch Families from the ſaid Commiſſioners, or importing them themſelves, during all ſuch Term and Times as any Law to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of White Perſons capable of bearing Arms, or White Women or Children, or pay certain Sums of Money in caſe they ſhall be deficient, commonly called *The Deficiency Law*, ſhall be ſubſiſting, not exceeding the Term and Space of Four Years in the Whole; which ſaid Deficiencies, and the Number of them, and the Time from whence ſuch Deficiencies ſhall take Place, ſhall be certified to the Juſtices and Veſtry of the ſeveral Pariſhes of this Iſland, authorized to raiſe and levy the ſaid Tax, under the Hands of the ſaid Commiſſioners appointed to put this Act in Execution, or the Survivors of them, or any Three or more of them; to be given to the Party or Parties applying for and entitled to the ſame, upon Requeſt of them for that Purpoſe made. New-Comers to ſave a Deficiency to Perſons ſettling them.

VIII. And in caſe it ſhall happen that any Families ſhall remain unprovided for, and not be diſpoſed of to any Owners or Proprietors of Lands, Plantations, or Settlements; be it enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or the Survivors of them, or any Five or more of them, to agree for and purchaſe a ſufficient Quantity of good and plantable Land, in any convenient Part or Place, in any Pariſh or Pariſhes in this Iſland, not further diſtant than a Mile from any Settlement whereon ſome White Perſon is reſident, to grant and convey Twenty Acres thereof, divided unto each Family, as aforeſaid, Four Acres whereof to be planted with Proviſions, in Manner aforeſaid; and to erect a good Dwelling-Houſe or Houſes, of the Value of Fifty Pounds; and to convey and deliver unto the Head or Chief of each of the ſaid Families a Negroe Slave of the Value of Thirty-five Pounds; and to pay unto ſuch Families and each of them the ſaid Sum of Twenty Pounds, and ſubſiſt them in good and ſufficient Meat, Drink, Waſhing and Lodging, and other Neceſſaries, until the ſaid Settlement ſhall be compleated, and the Poſſeſſion thereof, together with the Negroe and Money aforeſaid, delivered to the Head or Chief of every ſuch Family or Families ſo left unprovided, as aforeſaid. Commiſſioners to provide for Families not ſettled, &c.

IX. And be it further enacted by the Authority aforeſaid, That all Perſons who ſhall import themſelves, with their Families, from any of his Majeſty's Colonies in *America*, with Intent to become Settlers in this Iſland, on the Encouragement of this Act, ſhall, and they are hereby reſpectively declared, and be entitled to the ſeveral Benefits and Advantages hereuntofore mentioned; and ſhall be received, lodged, ſupported, ſettled, and provided for, under the ſame Regulation, and in like Manner, as if ſuch Perſons, with their Families, had been imported from *Great Britain*, or elſewhere; and ſhall, over and above, have and receive from the ſaid Commiſſioners, or the Survivors of them, or any Five or more of them, all ſuch Sums of Money as they ſhall reaſonably have expended on Account of their Paſſage. Families importing themſelves to be provided for.

X. And be it further enacted by the Authority aforeſaid, That all and every Family or Families, who ſhall or may be introduced into this Iſland, with Intent to become Settlers therein, in purſuance of this Act, ſhall be, and they are hereby reſpectively declared to be free, and diſcharged of and from all Manner of publick and parochial Taxes whatſoever (the Quit-rents hereafter to grow due and payable only excepted) for the Space of Seven Years; and they, and every of them, are hereby declared to be freed and exempted of and from all Manner of Services, Duty, and Offices whatſoever (the Militia only excepted) for the like Term of Seven Years. Freed from Parochial Taxes, &c.

XI. Pro-

1749. Proviso.

XI. Provided nevertheleſs, That no Perſon, or the Heirs or other Repreſentatives of ſuch Perſons to whom any Grant or Conveyance of Houſe, Land, or Negroe, that ſhall be made in purſuance of this Act, ſhall, within the Space of Seven Years from the Date of ſuch Grant or Conveyance, leaſe, convey, aſſign, or otherwiſe diſpoſe of, except by Will only, the ſaid Houſe and Land, or Negroe, either in Poſſeſſion, Reverſion, or Remainder; and all and every ſuch Grant or Grants, and other Conveyance, made contrary to the true Intent and Meaning of this Act, are hereby declared to be null and void; any thing herein before to the contrary in any wiſe notwithſtanding.

Artificers encouraged to come over.

XII. And for the further Encouragement of the ſeveral Artificers herein aftermentioned to come over and exerciſe their ſeveral Crafts and Myſteries in this Iſland, be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or the Survivors of them, or any Five or more of them, to authorize and impower their ſaid Agents in *Great Britain*, or any others whom they ſhall elſewhere appoint, to find and provide for all ſuch Artificers, *viz.* Copperſmiths, Millwrights, Wheelwrights, Sawyers, Harneſs-Makers, Taylors, Peruke-Makers, Blackſmiths, Carpenters, Joiners, Maſons, Bricklayers, Coopers, Shoemakers, Sadlers, Sugar-Bakers, Plumbers, and Gunſmiths, as are willing and deſirous of coming over with an Intention to exerciſe their reſpective Crafts and Myſteries, a fit and commodious Paſſage in any Ship or other Veſſel bound for this Iſland; which ſaid Artificers, and each of them, ſhall have and receive from the ſaid Commiſſioners or the Survivors of them, or any Five or more of them, within Ten Days after their Arrival in the Harbour of *Kingston*, or any other Port within this Iſland, a Bounty of Ten Pounds current Money of *Jamaica*.

Receiver General not to advance above 6000 *l. per Annum* for this Uſe.

XIII. And be it further enacted by the Authority aforeſaid, That the ſaid *Benjamin Hume*, Commiſſioner, or the Commiſſioner for the Time being, do in like Manner pay unto the ſaid Commiſſioners firſt above named, and the Survivors of them, or any Five of them, all ſuch further and other Sums of Money as ſhall or may be neceſſary for the paying and diſcharging all ſuch further and other Sums as ſhall be found neceſſary for the carrying of this Act into Execution, not exceeding the Sum of Six thouſand Pounds yearly, and every Year during the Continuance of this Act; the aforeſaid firſt mentioned Sum of Two thouſand Pounds Sterling Money of *Great Britain* included.

XIV. And be it further enacted by the Authority aforeſaid, That this Act, and every Clauſe, Matter, and Thing herein contained, ſhall continue and be in Force for the Term of Fourteen Years from the paſſing hereof, and no longer: And that the Secretary of this Iſland do cauſe the ſame to be printed, and Twenty Copies thereof delivered to the Governor, and each of the Members of the Council and Aſſembly of this Iſland, and to every *Cuſtos* of each Pariſh, to be by them promulgated according to their Directions; the Charge of which ſhall be paid by the ſaid *Benjamin Hume*, the Commiſſioner, or the Commiſſioner for the Time being.

An Act for veſting the Toll, heretofore granted to William Peete, *by virtue of an Act, entituled,* An Act for impowering *William Peete* to keep the Ferry, and erect a Toll-Gate or Turnpike between St. *Catharine's* and St. *Andrew's*, and taking up runaway Negroes, *in Truſtees, for repairing the Roads between* Rio Cobre, *in the Pariſh of St.* Catherine, *and* Waterhouſe Savannah, *in the Pariſh of St.* Andrew; *and other Purpoſes therein mentioned.*

Act 158. WHEREAS in and by an Act, entituled, *An Act for impowering* William Peete *to keep the Ferry and erect a Toll-gate or Turnpike, between St.* Catharine's *and St.* Andrew's, *and taking up runaway Negroes*, reciting, among other Things, that a Road and Paſſage by Land between the Pariſhes of St. *Catherine*

and to provide for them all fit and convenient Neceſſaries for their Voyage: And it ſhall and may be lawful to and for the ſaid Commiſſioners, or the Survivors of them, or any Five or more of them, from Time to Time, as to them ſhall ſeem meet, to demand and receive of and from the Honourable *Benjamin Hume*, Eſq; the Commiſſioner for the Receipt and iſſuing the Publick Money, or the Commiſſioner for the Time being, any Sum or Sums of Money not exceeding Two thouſand Pounds, Sterling Money of *Great Britain*, *per Annum*, for the Term of Fourteen Years from the paſſing of this Act; to be by them, or any Five or more of them, remitted, according to their beſt Diſcretions, to Perſons that ſhall be by them deputed Agents, as aforeſaid; with full Power and Authority to lay out and employ the ſame in the procuring and fitting out, and paying the Paſſage of all ſuch Families of White People as ſhall be inclined to receive the Benefit of this Act, and in making reaſonable Satisfaction to the ſaid Agents for their Trouble and Pains therein; all which ſaid Families, ſo to be introduced as aforeſaid, are, and they and every of them are hereby declared to be free from all Services, and to be at Liberty, at or after their Arrival, of diſpoſing of themſelves, and entering on ſuch Employments in ſuch Manner as to them ſhall ſeem moſt meet and convenient. 1749.

and draw from the Receiver 2000 *l.* Sterl. *per Annum*

for importing White Families,

II. And be it further enacted by the Authority aforeſaid, That all ſuch Families of White People as ſhall be introduced into this Iſland by virtue of this Act, ſhall immediately on their Arrival in the Harbour of *Kingſton*, be received and lodged by the ſaid Commiſſioners, or the Survivors of them, or any Five or more of them, or by ſuch Perſons as by them ſhall be appointed, in ſome convenient Dwelling-Houſe or Houſes, there to be maintained and ſubſiſted with good ſufficient Meat, Drink, Waſhing, Lodging, and other Neceſſaries, until ſuch Time as they and every of them ſhall be provided elſewhere, according to the true Intent and Meaning of this Act.

who are to be lodged, maintained, &c.

III. And be it further enacted by the Authority aforeſaid, That the ſaid *Benjamin Hume*, the Commiſſioner, or the Commiſſioner for the Time being, ſhall, and is hereby required, from Time to Time, to give publick Notice of the Arrival of ſuch Family or Families, and to continue ſuch Notices ſo long as any ſuch Families ſhall continue under the Care of the Commiſſioners.

Receiver-General to give Notice of their Arrival.

IV. And as an Encouragement to all Perſons to receive and entertain ſuch Families of White People in his, her, or their Settlements and Plantations, and to provide for them as herein after mentioned; be it enacted by the Authority aforeſaid, That all and every the Owners and Proprietors of any Lands, Plantations, or Settlements within this Iſland, who ſhall, by and with the Conſent and Approbation of any of the ſaid Families ſo to be introduced as aforeſaid, and not otherwiſe, take and receive ſuch Perſons and Families, and grant and convey to the Head or Chief of ſuch Family, a ſure and indefeaſible Eſtate of Inheritance in Fee Simple, of and in Twenty Acres of good and plantable Land, within a Mile of ſome Plantation or Settlement whereon ſome White Perſon is reſident; with Four Acres of the ſaid Twenty Acres well and ſufficiently planted, in a good and huſband-like Manner, with Corn, Potatoes, and other Proviſions, with a good and ſufficient Dwelling-Houſe or Houſes on the ſaid Land, of the real Value of Fifty Pounds; and alſo, in like Manner, and for ſuch Eſtate, convey and deliver One good and able Negroe Slave, of the Value of Thirty-five Pounds at the leaſt, to the Head or Chief of ſuch Family ſo intended to be ſettled and provided for; and ſhall alſo pay unto the Head or Chief of ſuch Family, the Sum of Twenty Pounds in Money; or in caſe no Owner or Proprietor of any Lands, Plantations, or Settlements, ſhall offer, who is immediately prepared to comply with the above-mentioned Terms; then in caſe any Owner or Proprietor ſhall enter into Bond to his Majeſty, in the Sum of Five hundred Pounds, with One or more good and ſufficient Securities, to be approved of by the ſaid Commiſſioners, or the Survivors of them, or any Five or more of them, to grant and convey ſuch Eſtate, of and in the ſaid Twenty Acres of good and plantable Land, in ſuch Situation as is above-mentioned, with Four Acres thereof well and ſufficiently planted, in Manner above-mentioned, with a good and ſufficient Dwelling-Houſe or Houſes therein to be erected, of the real Value of Fifty Pounds: And alſo, in like

Encouragement given to Perſons entertaining and ſettling White Families.

1749. Manner, and for the ſame Eſtate, convey and deliver One able Negroe Slave, of the Value of Thirty-five Pounds at the leaſt, to the Head or Chief of ſuch Family; and alſo pay to the Head or Chief of ſuch Family the Sum of Twenty Pounds in Money, within the Space of Six Months next after the Date of the ſaid Bond; and ſhall alſo, in the mean Time, find and provide, at his or their own proper Charges and Expences, good and ſufficient Meat, Drink, Waſhing, and Lodging, for ſuch Families: All and every ſuch Owners and Proprietors of the ſaid Lands, Plantations, and Settlements, ſo taking and providing for any ſuch Family as aforeſaid, or entering into ſuch Security for that Purpoſe as aforeſaid, ſhall be entitled to the Sum of One hundred and Forty-five Pounds for each Family, ſo to be ſettled and provided for as aforeſaid, with Intereſt at Eight Pounds *per Cent. per Annum*, from the Time of taking ſuch Families from the ſaid Commiſſioners until Payment thereof by the ſaid Commiſſioners, or the Survivors of them, or any Five or more of them; provided always that the Party or Parties ſo entering into Bond as aforeſaid, ſhall not be entitled to receive the ſaid Sum of One hundred and forty-five Pounds and Intereſt, until it ſhall appear to the Commiſſioners that the Condition of ſuch Bond hath been in all Things fully complied with.

145 *l.* for each Family ſettled.

V. And be it further enacted by the Authority aforeſaid, That in caſe any Owner or Proprietor of Lands, Plantations, or Settlements in this Iſland, ſhall, at his or their own Charge and Expence, introduce ſuch Family or Families into this Iſland, and grant and convey a ſure and indefeaſible Eſtate of Inheritance in Fee Simple of and in the like Number of Twenty Acres of good and plantable Land, Four Acres whereof to be planted as aforeſaid, with a good Dwelling-Houſe or Houſes thereon, of the Value aforeſaid; and ſhall in like Manner, and for the like Eſtate, convey and deliver to the Head or Chief of ſuch Family or Families, a good and able Negroe Slave of the Value aforeſaid, and pay unto him, her, or them, the ſaid Sum of Twenty Pounds for each Family, and ſhall ſupport and provide for them until they are in full Poſſeſſion and Enjoyment of the ſaid Premiſſes: All and every ſuch Perſon and Perſons ſo introducing ſuch Family or Families at his or their own Charge and Expence, and providing for and ſupporting them as aforeſaid, ſhall be entitled to have and receive of and from the ſaid Commiſſioners, or the Survivors of them, or any Five or more of them, the like Sum of One hundred and forty-five Pounds; together alſo with the further Sum of Ten Pounds for each Perſon in ſuch Family or Families they ſhall ſo introduce as aforeſaid, with Intereſt at Eight Pounds *per Cent. per Annum*, from the Time of ſuch Introduction till Payment thereof.

A further Premium to Perſons introducing White Families.

Proviſo.

VI. Provided always, That no Owner or Proprietor of any Lands, Plantations, or Settlements, taking or receiving any Family or Families ſo imported at the publick Charge and Expence as aforeſaid, with Intent to ſettle them; and no Owner or Proprietor of any Lands, Plantations, or Settlements, at their own Coſts and Charges, introducing and importing any ſuch Family or Families into this Iſland, and ſettling and providing for them in manner as aforeſaid, ſhall be entitled to the Bounty hereby granted, unleſs it ſhall appear to the ſaid Commiſſioners, or the Survivors of them, or any Five or more of them, either of their own certain Knowledge, or by a Certificate under the Hand of the Head or Chief of the Family or Families ſo to be taken and provided for, or introduced as aforeſaid, given in the Preſence of and atteſted by a Juſtice of the Peace, or by a Certificate of One or more Juſtices of the Peace, and of Three Planters, Freeholders, of known Property in the Neighbourhood where the Lands lye, upon View of and due Examination into the Premiſſes, that the Lands ſo granted and conveyed to the reſpective Families are, according to the beſt of their Judgment, good and plantable Lands, and do contain the aforeſaid Quantity of Twenty Acres, whereof Four Acres are planted in Manner as aforeſaid, and whereon is a Dwelling-Houſe or Houſes of the Value of Fifty Pounds; and that the Negroe Slave ſo conveyed and delivered is of the Value of Thirty-five Pounds; and that the ſaid Family or Families have reſpectively had and received the ſaid Sum of Twenty Pounds, and have been ſubſiſted and maintained until the Time of the Poſſeſſion of the ſaid Premiſſes, given to them according to the true Intent and Meaning of

this

*t*herine and St. *Andrew* had been theretofore found of great Uſe and Advantage to the whole Iſland, as being an eaſy, ſafe, and near Communication to the ſeveral Precincts; and that it would be neceſſary that the old Road ſhould be amended, or a new Road made; and that a Ferry ſhould be kept for an Accommodation and Paſſage over the River *Rio Cobre*, and the Bridge kept in Repair: For the Encouragement of ſo good and neceſſary a Work, it was thereby *inter alia* enacted, That the ſaid *William Peete*, his Heirs and Aſſigns, were by that Act impowered and authorized, for the Space of Fourteen Years from the paſſing of that Act, to aſk, demand, and receive, as a Duty and Toll for the tranſporting of any Perſon over the ſaid River, when neceſſary; and for the Paſſage of any Perſon, Cattle, Mules, Sheep, Hogs, or other Stock, through the Turnpike therein mentioned, on or along the ſaid Road, the following Toll or Duty, *viz.* For every grown horned Beaſt, Seven Pence Half-penny; for every Horſe, Seven Pence Half-penny; for Sheep, Goats, and Hogs, Five Shillings *per* Score, and ſo in Proportion for a greater or leſſer Number; for a Coach, Chariot, or Four Wheel Chaiſe, with Four or Six Horſes, Coachman, Poſtillion, and Footman, at the Rate of Seven Pence Half-penny for each Horſe; and for a Two Wheel Chaiſe and Horſe or Horſes Fifteen Pence; and for a Wain or Cart, including Cattle and Carmen, Seven Pence Half-penny for each Beaſt; and for every Perſon that ſhall be ferried over Seven Pence Half-penny: And whereas the Term for which the ſaid Toll was granted to the ſaid *William Peete*, expires at or upon the Fifth Day of *June* next enſuing, and it is neceſſary that the Road and Paſſage between the Pariſhes of St. *Catherine* and St. *Andrew*, herein before mentioned, and which were to be repaired by the ſaid *William Peete*, in virtue of the ſaid Law, ſhould be kept in good and paſſable Repair, which frequently after the rainy Seaſons in many Places is dangerous to Paſſengers, and the Ferry over the *Rio Cobre* at ſuch Times is frequently uſeleſs; and the ſaid Road cannot, by the ordinary Courſe provided by the Laws for repairing the Highways of this Iſland, be effectually amended and kept in good Repair: To the Intent that the ſaid Road may, with all convenient Speed, be effectually repaired and amended, and hereafter kept in good and ſufficient Repair, ſo that all Perſons may travel the ſame with Safety; may it pleaſe your Majeſty that it may be enacted, and be it enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, That the Honourable *Hampſon Needham*, the Honourable *Edmond Hyde*, and the Honourable *Benjamin Hume*, Eſqrs. Members of his Majeſty's Council, the Honourable *Charles Price*, Eſq; Speaker of the preſent Aſſembly, *William Dawkins*, *Philip Pinnock*, *William Peete*, *Henry Archbould*, *Roſe Fuller*, *John Dunſton*, *John Morſe*, and *George Ellis*, Eſqrs. ſhall, and they are hereby nominated and appointed Truſtees for the ſurveying, ordering, amending, and keeping in Repair the ſaid Road; and alſo for putting in Execution all other the Powers in and by this Act given: And that they and the Survivors of them, or any Three or more of them, or ſuch Perſon or Perſons as they, or any Three or more of them, ſhall authorize and appoint, ſhall and may upon and after the Fifth Day of *June*, which will be in the Year of our Lord One thouſand ſeven hundred and fifty, receive and take the Tolls and Duties herein before particularly recited, and which were taken by the ſaid *William Peete* during the Term granted to him therein, in and by the before recited Act; and ſhall and may erect and build a Toll-gate or Turnpike, and Toll-houſe, at the Bridge which divides the ſaid Pariſhes; and take and receive the ſaid Tolls and Duties before any Perſon, Cattle, Mules, Sheep, Goats, Hogs, Carriage or Carriages, ſhall be permitted to paſs through the ſame; which ſaid reſpective Sum and Sums of Money ſhall be demanded and taken in the Name of or as a Toll or Duty, and the Money ſo to be raiſed and collected is and hereby ſhall be veſted in the ſaid Truſtees; and the ſame and every Part thereof ſhall be paid, applied, and diſpoſed of, or aſſigned to and for the ſeveral Uſes, Intents and Purpoſes, and in ſuch Manner as is herein after mentioned and declared: And it ſhall and may be lawful to and for the ſaid Truſtees, or any Three or more of them, and ſuch Perſon and Perſons as they or any Three or more of them ſhall, under their Hands and Seals from Time to Time, nominate and appoint to levy the Tolls and Duties hereby laid and required

1749.

Truſtees appointed.

Impowered to take Toll, &c.

To levy the Toll by Diſtreſs, on Refuſal of Payment.

1749. quired to be paid, upon any ſuch Perſon or Perſons who ſhall, after Demand thereof made, neglect or refuſe to pay the ſame, as aforeſaid, by Diſtreſs of any Horſe or Horſes, or other Cattle or Goods, upon or for which ſuch Toll or Duty is by this Act impoſed and made payable, or by Diſtreſs of any other of the Goods of ſuch Perſon or Perſons who ought to pay the ſame, and to detain and keep ſuch Goods until ſuch Toll or Duty, with the reaſonable Charges of ſuch diſtraining and keeping, ſhall be paid; and it ſhall and may be lawful to and for ſuch Perſon or Perſons ſo diſtraining, after the Space of Four Days after ſuch Diſtreſs made and taken, to ſell the Goods ſo diſtrained and taken, returning the Overplus (if any be) upon Demand, to the Owner thereof, after ſuch Toll, Duty, and reaſonable Charges for diſtraining and keeping the ſame, ſhall be deducted and paid.

Penalty on Owners of Land near the Turnpike for ſuffering Cattle, Carriages, &c. to paſs through, to evade paying the Toll.

II. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons whatſoever, owing, renting, or occupying any Land or other Tenements near to the Turnpike-Gate or Bar which ſhall be erected, continued or kept up, in Purſuance of this Act, ſhall knowingly or willingly ſuffer any Perſon or Perſons whatſoever to paſs through any Gate, Paſſage, or Way, with any Coach, Chaiſe, Chariot, Chair, Waggon, Wain, Cart, Carriages, Horſe, Mule, or any Sort of Cattle, whereby the Payment of any of the Tolls or Duties by this Act laid, is or ſhall be fraudulently avoided; every ſuch Perſon and Perſons ſo offending, and being thereof convicted upon Oath before the ſaid Truſtees, or any Three or more of them (which Oath the ſaid Truſtees or any Three or more of them are hereby impowered to adminiſter) or before any one or more Juſtice or Juſtices of the Peace of the Precinct wherein the Offence ſhall happen to be committed (which Oath the ſaid Juſtice or Juſtices of the Peace are hereby alſo impowered to adminiſter) ſhall for every ſuch Offence forfeit and pay to the ſaid Truſtees hereby authorized to put this Act in Execution, or to the Treaſurer for the Time being appointed by the ſaid Truſtees, the Sum of Twenty Shillings; which Sum, in caſe the ſame be not forthwith paid, ſhall be levied by Diſtreſs and Sale of the Offenders Goods, by Warrant under the Hand and Seal or Hands and Seals of the ſaid Truſtees, or any Three or more of them, or of the ſaid reſpective Juſtice or Juſtices of the Peace, rendering the Overplus to the Owner on Demand, after deducting the reaſonable Charges of making ſuch Diſtreſs and Sale; to be ſettled by the ſaid Truſtees, or any Three or more of them, or by the ſaid reſpective Juſtice or Juſtices of the Peace.

Truſtees to appoint Collectors of the Toll, Surveyors of the Roads, &c.

III. And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees, or any Seven or more of them preſent at their Firſt Meeting, or any ſucceeding Meeting, by Writing under their Hands and Seals, ſhall and may chooſe and appoint one or more fit Perſon or Perſons to be Collector or Collectors of the Tolls or Duties aforeſaid; and alſo one or more fit Perſon or Perſons to be Surveyor or Surveyors, to view the Condition of the ſaid Road, and to ſee that the ſame is repaired, and that the Money by this Act to be raiſed is duly applied; and the ſaid Truſtees, or any Seven or more of them, ſhall and may alſo appoint all ſuch other Officers as ſhall be neceſſary for the putting this Act in Execution, and from Time to Time may remove ſuch Collectors, Surveyors, and other Officers, or any of them, as they ſhall ſee Occaſion, and appoint new ones in caſe of ſuch Removal, or of the Deaths of any of them reſpectively; and ſuch Perſon or Perſons as is or are by this Act made liable to pay the Tolls or Duties hereby granted, ſhall pay the ſame after the Rates aforeſaid, to ſuch Collector or Collectors as ſhall from Time to Time be appointed to receive ſuch Tolls and Duties; and the Perſon and Perſons ſo appointed to be Collector or Collectors as aforeſaid, ſhall, upon Oath (if thereto required by the ſaid Truſtees or any Three or more of them, or before one or more Juſtice or Juſtices of the Peace for the Precinct or Place through which the ſaid Road leads) which Oath ſuch Truſtees or any Three or more of them, or ſuch Juſtice or Juſtices, is and are hereby impowered and required to adminiſter, when thereunto required during the Continuance of this preſent Act) give in a true, perfect, and exact Account, in Writing, under their reſpective Hands, of all the Money which he and they, and every or any of them ſhall to ſuch Time have received, paid and diſburſed, by virtue of this Act, or by reaſon of his or their reſpective

Collectors to give in an Account upon Oath, if required, of Money received, &c.

Office

Office or Offices; for which Oath no Fee or Reward ſhall be taken; and in caſe any Money ſo received ſhall remain in their or any of their Hands, the ſame ſhall be paid to the ſaid Truſtees, or any Three or more of them, or to ſuch Perſons or Perſons as they or any Three or more of them ſhall, by any Writing or Writings under their Hands, authorize and impower to receive the ſame, and ſhall be diſburſed and laid out in amending the ſaid Road; and for other neceſſary Purpoſes relating thereto, according to the true Meaning of this Act, and not otherwiſe. 1749.

IV. Provided always, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Seven of them, from Time to Time, as they ſhall think proper, to contract and agree with any Perſon or Perſons for the amending and keeping the ſaid Road in good Repair, for any Term not exceeding Three Years at any one Agreement; and to appropriate and apply the ſaid Toll ſo to be received by virtue of this Act for that Purpoſe: And the ſaid Truſtees, or any Three or more of them, ſhall and may, out of the Money ariſing by the ſaid Toll or Duties, make ſuch Allowance to the Collector or Collectors, and the Surveyor and Surveyors, and to ſuch other Officers as ſhall be ſo appointed as aforeſaid, for and in Conſideration of his and their Care and Pains reſpectively taken in the Execution of his or their reſpective Office and Offices, and to ſuch other Perſon and Perſons as have been or ſhall be aſſiſting in and about procuring the ſaid Road to be repaired, by advancing or laying out any Money, or otherwiſe relating thereunto, as to the ſaid Truſtees, or any Three or more of them, ſhall ſeem good; and in caſe the ſaid Collector or Collectors of the aforeſaid Tolls or Duties ſo to be paid as aforeſaid, or any of them, or other Perſon or Perſons concerned, ſhall not give and make ſuch Account and Payment as the ſaid Truſtees, or any Three or more of them, ſhall order, direct or require, that then any Two or more Juſtices of the Peace, at any Special or other Seſſions to be holden for any of the Precincts in which the ſaid Road doth lie, and in which the ſaid Collector or Collectors, or other Perſon or Perſons, hath or have acted or been employed, and made ſuch Default as aforeſaid, ſhall make Enquiry of and concerning ſuch Default, as well by Confeſſion of the Parties themſelves as by the Teſtimony of one or more credible Witneſs or Witneſſes upon Oath, which Oath the ſaid reſpective Juſtices are hereby impowered and required to adminiſter, without Fee or Reward; and if any Perſon or Perſons ſhall be thereof convicted by ſuch Juſtices, they ſhall upon ſuch Conviction commit the Party or Parties ſo offending to the common Gaol of the County, or Place wherein the Offence ſhall be committed, there to remain without Bail or Mainprize, until he or they ſhall have made a true and perfect Account and Payment, as aforeſaid.

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Collector of the Toll to be impriſoned when not rendering a juſt Account.

V. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Surveyor or Surveyors, and ſuch Perſon and Perſons as he or they ſhall appoint, to dig, gather, take, and carry away, any Gravel, Sand, Stones, or other Materials, out of any *Savannah*, Waſte, unincloſed, or unopened Land, River or Brook (Timber only excepted) in or near which the ſaid Road doth lie, as ſhall be proper for repairing and amending the ſaid Road, without paying any Thing for the ſame; ſuch Surveyor or Surveyors levelling or cauſing to be levelled, all ſuch Holes and Pits where any ſuch Materials as aforeſaid ſhall be digged, gathered or taken, and from whence the ſame ſhall be carried away; and where there is not ſufficient of ſuch Materials, *Savannahs*, waſte, unincloſed, or unopened Land, as aforeſaid, it ſhall and may be lawful for ſuch Surveyor or Surveyors, by order of the Truſtees, or any Three or more of them, to dig, and gather the ſame out of the ſeveral Ground or Grounds of any Perſon or Perſons (not being the Ground whereon any Houſe or Houſes ſtand, Garden, Yard, or Meadow planted, Walk or Walks, or Avenue to an Houſe, or any Piece or Parcel of Proviſion-Ground, where any ſuch Materials are or may be found, and from Time to Time to carry away ſuch and ſo much thereof as the ſaid Surveyor or Surveyors in their reſpective Places ſhall judge neceſſary for repairing and amending the Road aforeſaid; paying ſuch Rates for ſuch Materials, and for the Damage done to the Owners and Occupiers reſpectively of the Grounds where and from whence the ſame ſhall be digged, gathered, or carried

Power of the Surveyors of the Road.

1749. ried away, or over which the ſame ſhall be carried, as the ſaid Truſtees appointed or to be appointed to put this Act in Execution, or any Three or more of them, ſhall judge reaſonable; and in caſe of any Difference concerning the ſame between ſuch Owners or Occupiers and the ſaid Truſtees, touching ſuch Damage as aforeſaid, the Juſtices of the Peace of the Precincts wherein the Matter in Diſpute ſhall ariſe, within their reſpective Juriſdictions, and in their reſpective General Quarter Seſſions, or the major Part of ſuch Juſtices then preſent, ſhall and may adjudge, aſſeſs, and finally determine the ſame.

To turn Water-Courſes, &c.

VI. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Surveyor and Surveyors, and ſuch Perſon or Perſons as he or they ſhall appoint by the Directions of the ſaid Truſtees or any Seven or more of them, under their Hands from Time to Time, to remove and prevent all Annoyances on or in any Part of the ſaid Road, by Filth, Dung, Rubbiſh, or otherwiſe, and to turn any Water-Courſes, Sinks, or Drains running into, along, or out of the ſaid Road, to the Prejudice thereof, and to cleanſe any Ditch or Water-Courſe adjoining to the ſaid Road; and to cut down, lop, or top any Tree (other than and except Timber or Fruit Trees) or Buſhes growing in the ſaid Road, or on the Banks or Hedges adjacent thereto, and take and carry away the ſame: Provided, That whenever it ſhall be thought neceſſary by the ſaid Truſtees, or any Seven of them, to turn any Water, or make any new Drains, the ſame ſhall be by the ſaid Truſtees carried and conducted in the moſt proper and effectual Manner into ſome River, to prevent as much as poſſible any Prejudice to Lands of any private Perſon.

And make Cauſeways, &c.

VII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Surveyor or Surveyors, and ſuch Perſon and Perſons as they ſhall appoint, by Order of the ſaid Truſtees, or any Three or more of them, to make or cauſe to be made Cauſeways, and to cut and make Drains through any Grounds lying contiguous to the ſaid Road, and to repair and ſuſtain ſuch Bridges as are already built on the ſaid Road, and to make and erect any other Arches or Bridges of Brick, Timber, or Stone, upon the ſaid Road.

Fines and Forfeitures, how recovered.

VIII. And be it further enacted by the Authority aforeſaid, That all Penalties and Forfeitures by this Act impoſed or incurred, touching which no other Proviſion is by this Act made, ſhall be recovered and levied by Diſtreſs and Sale of the Offenders Goods and Chattels, by Warrant or Warrants under the Hands and Seals of Two or more of his Majeſty's Juſtices of the Peace of or for the Precinct where the Offence ſhall happen; which Warrant or Warrants the ſaid Juſtices are hereby impowered and required to iſſue, upon the Information of one or more credible Witneſs or Witneſſes upon Oath (which Oath the ſaid Juſtices are hereby impowered and required to adminiſter without Fee or Reward) and the Penalties and Forfeitures when recovered, after rendering the Overplus (if any be) upon Demand, to the Party or Parties whoſe Goods or Chattles ſhall be ſo diſtrained and ſold, the Charges of ſuch Diſtreſs and Sale being firſt deducted, ſhall go and be applied and laid out (if not otherwiſe applied or diſpoſed of by this Act) for and towards amending the ſaid Road hereby intended to be repaired.

Right and Property of the Turnpike veſted in the Truſtees.

IX. And be it further enacted by the Authority aforeſaid, That the Right, Intereſt and Property of the Turnpike and Toll-houſe, which ſhall be erected by virtue hereof, ſhall be veſted in the Truſtees appointed or to be appointed to put this Act in Execution; and that they, or any Three or more of them, at any of their publick Meetings, ſhall, and they hereby have Power to diſpoſe of the ſaid Turnpike and Toll-houſe as they ſhall think proper, and to bring Actions, and prefer Bills of Indictments againſt any Perſon or Perſons who ſhall ſteal, take away, break down, or ſpoil the ſame, or any of them.

This Act to be in Force Nine Years.

X. And be it enacted by the Authority aforeſaid, That this Act, and all the Tolls, Duties, and Powers hereby granted and given, ſhall take Place from and immediately at and after the Expiration of the ſaid Term of Fourteen Years granted in the ſaid Tolls and Duties to the ſaid *William Peete* by the before recited Act; and ſhall continue and be in Force, and be paid from thence, for and during the Term of Nine Years.

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XI. PROVIDED alſo, and be it further enacted and declared by the Authority aforeſaid, That ſuch of the Truſtees appointed or to be appointed to put this Act in Execution, as is, are, or ſhall be, in the Commiſſion of the Peace for any of the Precincts thro' which the Road aforeſaid leads, ſuch Truſtee and Truſtees ſhall and may act as a Juſtice or Juſtices of the Peace within their reſpective Juriſdictions, for the effectual putting in Execution the ſeveral Authorities and Powers given in and by this preſent Act, notwithſtanding ſuch Juſtice or Juſtices is or ſhall be a Truſtee or Truſtees as aforeſaid; and for continuing a ſufficient Number of fit Perſons to be Truſtees for putting this Act in Execution.

Truſtees may alſo be Juſtices.

XII. BE it further enacted by the Authority aforeſaid, That in caſe any Truſtee or Truſtees, appointed or to be appointed by virtue of this Act, ſhall die, or be abſent from this Iſland for the Space of Two Years, or ſhall refuſe to act in the Truſt repoſed in him or them; then it ſhall and may be lawful to and for any Seven or more of the remaining Truſtees, at a General Meeting aſſembled by any Writing or Writings, or Entry in their Book or Books of Orders under their Hands, to nominate, elect, and appoint in the Room of ſuch Truſtee or Truſtees ſo deceaſed, abſent, or refuſing to act as aforeſaid, ſome other fit Perſon or Perſons to be joined with the Truſtees appointed to put this Act in Execution; and all the Powers and Truſts hereby repoſed in them, and all and every ſuch Perſon and Perſons ſo to be nominated, elected, and appointed as aforeſaid, ſhall and may, and he and they is and are hereby impowered to act, and to do to all Intents and Purpoſes in as full, large, and ample Manner as any Truſtee or Truſtees is and are impowered to do by virtue of this Act.

On Vacancies, how new Truſtees ſhall be choſen.

XIII. AND be it further enacted by the Authority aforeſaid, That the Truſtees aforeſaid, or any Seven or more of them, ſhall meet together at the Houſe of *William Peete*, Eſquire, commonly called the Ferry, on or before the Thirtieth Day of *June* next enſuing, and ſhall then adjourn themſelves; and ſhall afterwards meet there or at any other Place or Places, near the ſaid Road ſo to be repaired as aforeſaid, as the Truſtees, or any Three or more of them, ſhall think proper or convenient, as often as it ſhall be neceſſary for putting this Act in Execution: And if it ſhall happen that there ſhall not appear at any Meeting, which ſhall be appointed by the ſaid Truſtees, a ſufficient Number of them to act at ſuch Meeting, and to adjourn to any other Day, then, in ſuch caſe, the Clerk to the ſaid Truſtees, by Notice in Writing under his Hand, to be fixed on the Turnpike-Gate, to be erected by virtue of this Act, at leaſt Ten Days before the next Meeting, ſhall appoint the ſaid Truſtees to meet at the Houſe where the laſt Meeting of the ſaid Truſtees was appointed to be held, on that Day Three Weeks on which ſuch laſt Meeting of the ſaid Truſtees was appointed to be held; and that the ſaid Truſtees, at their firſt and all their ſubſequent Meetings, ſhall defray their own Charges and Expences.

Meetings of the Truſtees regulated.

XIV. AND to the End that no Diſputes may ariſe, touching the Application of the Money ariſing by the Tolls by this Act granted; be it declared and enacted by the Authority aforeſaid, That the ſaid Truſtees for putting this Act in Execution, or any Three or more of them, ſhall order and direct, that all the Money ariſing or to ariſe, and be collected, by virtue of this Act, at the ſaid Turnpike, ſhall be laid out and applied in amending and repairing the ſaid Road, and maintaining a Ferry-Boat on the *Rio Cobre*, and repairing the ſeveral Bridges on the ſaid Road.

Toll-Money to be applied to the Repair of the Road, &c.

XV. PROVIDED, and be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be commenced againſt any Perſon or Perſons, for any Thing done in purſuance of this Act, in every ſuch Caſe the Action or Suit ſhall be brought within Six Months next after the Facts committed, and not afterwards; and ſhall be commenced and proſecuted in the Supreme Court of Judicature of this Iſland, and not elſewhere; and the Defendant or Defendants, in ſuch Action or Suit to be brought, ſhall and may plead the General Iſſue, Not Guilty, and give this Act and the ſpecial Matter in Evidence at any Trial to be had; and that the ſame was done in purſuance and by Authority of this Act: And if the ſame ſhall appear ſo to be done, or ſuch Action or Suit ſhall be brought after the Time before limited for bringing the ſame, as aforeſaid; then the Jury ſhall find

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1749. for the Defendant or Defendants; and upon ſuch Verdict, or if the Plaintiff or Plaintiffs ſhall become non-ſuited, or diſcontinue his or their Action, after the Defendant and Defendants ſhall have appeared; or if upon Demurer, Judgment ſhall be againſt the Plaintiff or Plaintiffs, the Defendant and Defendants ſhall and may recover treble Coſts, and have ſuch Remedy for the ſame as any Defendant or Defendants hath or have in any Caſes in Law.

XVI. And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed, adjudged, and taken to be a publick Act, and to be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whatſoever, without ſpecially pleading the ſame.

An Act to inflict further and other Puniſhments on runaway Slaves, and ſuch as ſhall entertain them.

Act 159. WHEREAS great Numbers of Negroe and other Slaves have of late run away from the Service of their Owners or Employers, and have taken Shelter in the Towns or other Places; and whereas, by their long and frequent Deſertion, great Encouragement is given to others to follow their Example, which may prove of dangerous Conſequence to this Iſland, if not timely prevented; and whereas the Puniſhments hitherto inflicted by Law for ſuch Offences have not proved effectual: In order therefore to remedy the like Inconveniencies for the future, and to deter others from running away, and alſo to prevent their being harboured or entertained, may it pleaſe your moſt Excellent Majeſty, that it may be enacted; be it therefore enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted by the Authority of the ſame, That every Negroe or other Slave, of the Age of Eighteen Years, or upwards, born in this Iſland, or that has been, or ſhall be imported into this Iſland, and that hath, or ſhall reſide in the ſame for the Space of three Years after ſuch Importation, that ſhall run away, or abſent him or herſelf from the Service of his or her Owner or Employer, without the Conſent of ſuch Owner or Employer, for the Space of ſix Calendar Months, ſhall be tried in ſuch Manner and Form as other Slaves in this Iſland are uſually tried for capital Offences; and on due Proof and Conviction thereof ſhall ſuffer Death, or ſuch other Puniſhment as ſhall be inflicted by the Juſtices and Freeholders, or the major Part of them, one of which to be a Juſtice.

Puniſhment of Slaves run away Six Months.

Proviſo. II. Provided always, and it is the true Intent and Meaning of this Act, That no Owner or Owners of any ſuch runaway Negroe, or other Slave, who may be convicted and ſuffer Death, as aforeſaid, ſhall be paid the Value of ſuch Negroe or other Slave, but that the Loſs thereof ſhall fall upon the Owner of ſuch Negroe or other Slave; any Thing in this Act contained, or any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

III. And be it further enacted by the Authority aforeſaid, That all ſuch Negroe or other Slaves, as aforeſaid, that ſhall be run away at the Time of the paſſing of this Act, and that ſhall continue to abſent themſelves for the Space of ſix Months, ſhall be tried and puniſhed in like Manner as Negroe and other Slaves, who ſhall run away after the paſſing of this Law, and abſent themſelves for ſo long Time.

Puniſhment of Slaves, &c. harbouring Runaways.

IV. And be it further enacted by the Authority aforeſaid, That if any Negroe, *Indian*, or *Mulatto* Slave, ſhall harbour, conceal, or entertain any runaway Negroe or other Slave, knowing him or her to be ſuch, every ſuch Negroe, *Indian*, or *Mulatto* Slave, ſo harbouring, concealing, or entertaining any ſuch Runaway, ſhall be tried in Manner aforeſaid; and, on due Proof and Conviction thereof, ſhall ſuffer Death, or ſuch other Puniſhment as the two Juſtices and three Freeholders, or the major Part of them, of which one to be a Juſtice, ſhall adjudge.

Proviſo. V. Provided, That no Negroe, *Indian*, or *Mulatto* Slave ſhall be puniſhed, by virtue of this Act, for harbouring, concealing, or entertaining any runaway Slave, unleſs Proſecution for the ſame be commenced within one Month after the Diſcovery of the ſaid Offence.

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VI. PROVIDED alſo, That no Negroe or other Slave, ſhall be puniſhed, by virtue of this Act, for running away, or abſenting him or herſelf from the Service of his or her Owner or Employer, unleſs Proſecution for ſuch Offence be commenced within three Months after his or her being taken or returned to his or her Owner or Employer. 1749. Proviſo.

VII. AND be it further enacted by the Authority aforeſaid, That the Secretary of this Iſland do cauſe this Act forthwith to be printed, and Twenty Copies thereof ſent to the *Cuſtos*, or Chief Magiſtrate, of the reſpective Pariſhes of this Iſland, who are to take the moſt effectual Method of making it publick.

An Act to enable the Directors of the Bath of St. Thomas the Apoſtle *to grant certain Lots, and Parcels of the Bath Land in Fee, and adding Directors to thoſe already appointed; and for the rendering the ſaid Bath more uſeful to the Publick.*

ACT 160.

WHEREAS divers Lots or Parcels of Land, commonly called the *Bath-Land*, in the Pariſh of St. *Thomas in the Eaſt*, in this Iſland, have been by the Directors, or by Commiſſioners acting as Directors of the Bath of St. *Thomas the Apoſtle*, appointed by the ſeveral Acts of this Iſland, for rendering the *Bath* uſeful to the Publick, granted or lett out on Leaſes to divers Perſons for Terms of Years; and ſeveral of the ſaid Leſſees have been and ſtill are at a conſiderable Charge and Expence in falling, clearing, and fencing their ſaid Lots and Parcels of Land, and in building Houſes on the ſame: And whereas the perpetuating the aforeſaid Lands, together with ſuch future Grants as ſhall be made of the ſame to the reſpective Leſſees and Proprietors thereof, and their Heirs in Fee, under the ſeveral Limitations and Reſtrictions herein after mentioned, will be the moſt probable Means of well-ſettling and peopling the ſaid Bath Lands, and the Town laid out and intended to be built on the ſame; be it enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted by the Authority of the ſame, That it ſhall and may be lawful to and for the ſaid Directors, or any Three or more of them; and they are hereby authorized, impowered and required, by Inſtrument in Writing under their Hands and Seals, to convey and aſſure a good and indefeaſible Eſtate in Fee-Simple, unto all and every Perſon and Perſons, to whom any of the Town-Lots, or other Pieces or Parcels of the ſaid Bath Land, have or hath been granted by the ſaid Directors, or any Commiſſioners appointed for the ſaid Bath, for any Term of Years, and who have complied with the Terms in his or their reſpective Leaſe or Leaſes mentioned; as alſo to all and every other Perſon and Perſons who ſhall or may hereafter apply for any future Grant or Grants of the ſaid Lands, or any Part thereof; and that ſuch Grant ſo made ſhall enure, to all Intents and Purpoſes, to them and their Heirs and Aſſigns; any Law to the contrary in any wiſe notwithſtanding. Directors impowered to convey Eſtates in Fee, &c.

II. PROVIDED always, That if any Perſon or Perſons, to whom any of the ſaid Town-Lot or Lots of Land is, are, or ſhall be granted, have or ſhall neglect or refuſe to fence in ſuch Lot or Lots, for the Space of ſix Calendar Months, from the Date or Dates of his or their reſpective Grant or Grants of the ſaid Lot or Lots, or ſhall not within Eighteen Calendar Months, from the Date of ſuch reſpective Grants, build a Dwelling-houſe on his or their Lot or Lots, of the Value of Fifty Pounds; or, when built, have neglected, or ſhall neglect to ſupport ſuch Building for the Space of one Year together, every ſuch Perſon, ſo neglecting or refuſing, ſhall be, and they are hereby deemed to have forfeited his or their ſaid reſpective Lots ſo granted, or to be granted, as aforeſaid; and the ſame are and ſhall be immediately re-veſted in the Directors, and their Succeſſors, to be granted by the ſaid Directors to ſuch Perſon or Perſons as are or ſhall be willing to comply with the Terms required by this Act. To re-grant Lands forfeited.

III. PROVIDED alſo, That if any Perſon or Perſons, to whom any other Piece or Parcel of the ſaid Land is or ſhall be granted, ſhall neglect or refuſe to fall, clear, and plant one third Part thereof for the Space of two Years, from the Date Land, when deemed to be forfeited.

or

1749. or Dates of his or their reſpective Grant or Grants of the ſame; or when planted, ſhall deſert or neglect to cultivate the ſame for the Space of two Years together, all and every ſuch Perſon or Perſons ſhall be, and they are hereby deemed to have forfeited their ſaid Land; and the ſame ſhall be, and is hereby re-veſted in the Directors and their Succeſſors, to be regranted as aforeſaid.

Proviſo. IV. Provided alſo, That all and every Grant or Grants to be made of the ſaid Lands, or any Part thereof, ſhall not be of any Force or Effect, unleſs the ſaid Grants ſhall be actually made by the Directors, or a *Quorum* of them, upon the ſaid Bath Land, and ſealed with their Corporation Seal.

Part to be divided into Lots. V. And be it further enacted by the Authority aforeſaid, That the ſaid Directors, or any Three of them, ſhall cauſe that Part of the ſaid Bath Land bounding on *Plantain Garden-River* to be run out, and divided in an uniform Manner into Lots or Parcels, in ſuch Manner and Dimenſions as they ſhall direct to be granted by the ſaid Directors, as Town-Lots, under the Limitations and Reſtrictions in this Act mentioned.

Proviſo. VI. Provided, That no Part of the ſaid Lands ſhall be run out or divided cloſe upon the Borders of the ſaid River, but that a proper and convenient Space, to be determined by the ſaid Directors, ſhall be kept unopened, and remain Wood Land, to prevent as much as poſſible any Encroachments by the ſaid River on the ſaid Lands.

Town-Lots not to exceed one Acre, &c. VII. And be it further enacted by the Authority aforeſaid, That the ſaid Town-Lots, ſo to be granted by the ſaid Directors, ſhall not exceed one Acre each; and that the ſaid Directors ſhall not grant more than one of the ſaid Lots, or more than Twenty-five Acres of the ſaid other Lands, to any one Perſon, except only unto Perſons keeping publick Houſes of Entertainment, unto whom Four Acres of the ſaid Land, yet to be run out, may be allotted for the Conveniency of Gardens, *Scotch* Graſs, and Proviſions; and that in all and every Grants of the ſaid Lots or Parcels of Land ſo to be granted, as aforeſaid, Leave ſhall be reſerved to the ſaid Directors, and the Directors for the Time being, of cutting of Timber and digging of Stone upon the ſaid granted Premiſſes, for the Uſe of the publick Buildings erected, or to be erected on the ſaid Bath Land.

Acts done by former Directors confirmed. VIII. And whereas in and by ſeveral Acts of this Iſland, divers Perſons, by the Name of Commiſſioners, have been added to the Number of Directors firſt appointed; be it enacted by the Authority aforeſaid, That all Acts heretofore done by the ſaid ſeveral Perſons, as Commiſſioners, in relation to the ſaid Bath, or Bath Lands, or the publick Buildings erected on the ſame, is, are, and ſhall be equally valid and effectual in Law, to all Intents and Purpoſes whatſoever, as if the ſaid ſeveral Perſons had been named, and acted in the Premiſſes as Directors of the ſaid Bath; and all ſuch Perſons as have been heretofore appointed for the Purpoſes aforeſaid, by the Name of Commiſſioners, ſhall be, and they are hereby deemed and taken to be Directors of the ſaid Bath, as fully and amply, to all Intents and Purpoſes, as if ſuch Perſons had been in and by the ſaid Acts called or named by the Stile and Title of *Directors of the ſaid Bath*.

Land reſerved for Soldiers. IX. And be it further enacted by the Authority aforeſaid, That the ſaid Directors ſhall cauſe to be run out a Square of Fifty Acres of the ſaid Land, contiguous to, and about the Hot Springs, together with Twelve Acres of the ſaid Land, on the Ridge oppoſite to the ſaid Springs, to be reſerved for ſuch further Uſes and Purpoſes as ſhall be hereafter directed or appointed by any future Act to be made for that Purpoſe; and that the aforeſaid Springs, or any of them, or the publick Buildings there, and the Land on which others are intended to be built, ſhall not be allotted or granted to any Perſon or Perſons whatſoever; and alſo, that the ſaid Directors ſhall lay out and allot one Lot of the ſaid Land for the Uſe of any ſick or infirm Soldiers of this or any other Regiment or Company now or hereafter to be in this Iſland, and one other Lot for a Burying-Place; and cauſe the ſaid Lots to be well and ſufficiently fenced in. And for the better and more effectual Execution of this, and the ſeveral other Acts in Force concerning the ſaid Bath and Bath Lands,

New Directors appointed. X. Be it further enacted by the Authority aforeſaid, That the ſeveral Members of the Council, and of this preſent Aſſembly of this Iſland, and the Members of the

the Council and Aſſembly for the Time being, be, and they are hereby added to the Number of Directors heretofore appointed for the Purpoſes aforeſaid; and that the ſaid Directors have the ſame Power and Authority, to all Intents and Purpoſes, as if they had been named in all or either of the ſaid Acts; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding. 1749.

An Act for the total Remiſſion of ſeveral Debts due to the Publick, from divers of New Settlers at Norman's Valley, Manchioneal, *and* Portland; *and for the veſting a Lot of Land upon the Bay or Harbour at* Manchioneal *in each of the Settlers there, for the Convenience of landing, ſtoring, and ſhipping their Goods to Market, in lieu of other Lots adjacent to the Barracks:*

Act 161.

WHEREAS the ſeveral and reſpective Perſons herein after named ſtand indebted to the Publick in ſeveral Sums of Money to them advanced for their Subſiſtence, on their coming over to, and becoming Settlers in this Iſland, on the Encouragement of the ſeveral Laws for that Purpoſe made and provided, *viz. James Bryan*, Two hundred and ſeventy-four Pounds Five Shillings; *Charles Bryan*, Two hundred and ninety-ſix Pounds Seventeen Shillings and Six Pence; *John Holford*, One hundred and ſixty Pounds; *Matthew Thomas*, One hundred and thirty-ſeven Pounds; *John Panton*, Two hundred and eighty-three Pounds Five Shillings; *William Codrington*, Two hundred and eighty-five Pounds; *John Codrington*, Two hundred and twelve Pounds ſeven Shillings and Six Pence; *Joſiah Neufeille* ſenior, One hundred and ſeventy-one Pounds Two Shillings and Nine Pence; *Joſiah Neufeille* junior, One hundred and ninety-eight Pounds Two Shillings and Six Pence; *Iſaac Neufeille*, Sixty-one Pounds Eleven Shillings and Three Pence; *Mary Hooker* Widow, Eighty-nine Pounds Nineteen Shillings and Ten Pence; *Sarah Panton* Widow, Two hundred and forty-two Pounds Three Shillings and Eight Pence; *George Hocker*, Sixty-one Pounds Sixteen Shillings; *Thomas Roſs*, One hundred and ninety-eight Pounds Three Shillings and Nine Pence; *Benjamin Webber*, Fifty-ſeven Pounds Nine Shillings and Seven Pence; *Edward Hazard*, One hundred and ſixty-five Pounds; *James Glyn*, One hundred and twenty-one Pounds Four Shillings and Eight Pence; *Joſeph Barnet*, One hundred and four Pounds Four Shillings; *Francis Roſeaman*, Three hundred and forty-four Pounds Three Shillings and Ten Pence; *John Hog*, Eighty-eight Pounds Two Shillings and Six Pence; *Jeremiah Buckley*, One hundred and ſixty-three Pounds Four Shillings; *Thomas Bucker*, Two hundred and twenty-one Pounds Ten Shillings; *William Hynde*, One hundred and ſeventy-two Pounds Five Shillings and Ten Pence; *Thomas Spencer*, Eighty-nine Pounds Eleven Shillings and Nine Pence; *Thomas Murrel*, Sixty-eight Pounds Eight Shillings and Six Pence; *Joſeph Sayers*, Fifty-eight Pounds Sixteen Shillings and Three Pence; *Iſaac Pentiflat*, One hundred and ſeventy-eight Pounds Eleven Shillings and Three Pence; *Richard Jackſon*, One hundred and fifty Pounds Ten Pence Three Farthings; *Edward Hughes*, Eighteen Pounds Sixteen Shillings and One Penny; *Jacob Morgan*, Three hundred and three Pounds Eleven Shillings and Ten Pence; *William Boyle*, One hundred and ſixty Pounds Ten Shillings and Eight Pence; *John Libbert*, Three hundred and thirteen Pounds Sixteen Shillings and One Penny; *James Shaw*, Eighty-ſix Pounds Seventeen Shillings and Six Pence; *Miles Toppin*, Three hundred and fifty-two Pounds Nineteen Shillings; *Thomas Tormy*, Sixty-ſix Pounds; *Nathaniel Jaggers*, One hundred and thirty-ſix Pounds Five Shillings; *John Finch*, Seventy-five Pounds Two Shillings and Six Pence; *John Haſſal*, Ninety-one Pounds Three Shillings and Nine Pence; *William Gardner*, Eighty-ſeven Pounds Ten Shillings; *Jane Evans*, Eighty-four Pounds Four Pence Halfpenny; *Roger Howard*, Twenty-five Pounds Twelve Shillings and Six Pence; *Samuel Orr*, Twenty-five Pounds and Two Pence; *Alexander Wilſon*, Fifty-nine Pounds Ten Shillings; *George Hooper*, One hundred and nineteen Pounds Seventeen Shillings and Six Pence; *Elizabeth Haſſal*, Eighty Pounds; *Thomas*

Perſons indebted to the Publick.

1749. *Thomas Hooper*, Sixty-eight Pounds; *Thomas Richards*, One hundred and twenty-three Pounds Three Shillings and Nine Pence; *William Lynch-Joſeph*, One hundred and ſixty-nine Pounds Fifteen Shillings and Nine Pence Halfpenny; *John Leacock*, One hundred and thirty-five Pounds Five Shillings; *Joſhua Gillyat* ſenior, Two hundred and forty-one Pounds Fourteen Shillings and Ten Pence: And whereas, on Account of many Loſſes and Misfortunes incurred in carrying on their ſeveral Settlements, conformable to the Terms of theſe Laws, the aforeſaid Perſons are ſo reduced in their Circumſtances, that, without infinite Diſtreſs to themſelves and Families, they are unable to make Satisfaction to the Publick for their ſaid Debts; in Compaſſion therefore to the ſaid ſeveral New-Comers, and their Circumſtances, and to encourage them chearfully to go on in the ſettling and Improvement of their reſpective Lands, we your Majeſty's moſt dutiful and loyal Subjects, the Aſſembly of this your Majeſty's Iſland of *Jamaica*, moſt humbly beſeech your Majeſty, that it may be enacted; be it therefore enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*; and it is hereby enacted and ordained by the Authority of the ſame, That the ſeveral and reſpective Perſons herein before mentioned, their Heirs, Executors and Adminiſtrators are, from the paſſing of this Act, hereby wholly releaſed and diſcharged of and from their ſaid ſeveral Debts, to all Intents and Purpoſes whatſoever; and the ſaid Debts are hereby totally remitted to them; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Their Debts remitted.

II. And whereas in and by an Act of the Governor, Council, and Aſſembly of this Iſland, entituled, *An Act for perpetuating ſuch Parts of the late Barracking Laws, as veſted ſeveral Parcels of Land in the Crown; and confirming the Titles of ſuch Perſons as have had Grants of any ſuch Lands, purſuant to the ſaid Laws, and for directing Surveys to be made of ſeveral Parcels of the ſaid Land*; it is, among other Things, enacted, That Ten Acres of the ſaid Lands ſhall be reſerved cloſe adjacent to each Barrack, to be reduced into Lots, each Lot to contain One hundred Feet in Length, and Sixty in Breadth; and that a Lot be granted to each Perſon who ſhall undertake to become a Settler; and that each Settler ſhall be obliged to build a Houſe on ſuch Lot, for the better Security of himſelf and the other Settlers; and that One hundred Acres ſhall be allowed to each Barrack, in caſe the Soldiers garriſoned in ſuch Barrack ſhould be inclined to plant Proviſions, or raiſe Stock; and that the ſame ſhall be granted and diſtributed from Time to Time among the Soldiers and Men, in ſuch Manner and Shares as the Governor, or Commander in Chief for the Time being, ſhall judge proper: And whereas, on account of the then early Reduction of the Rebel Slaves, and of the Danger in ſettling the aforeſaid Lands being thereby greatly abated, the ſaid Lots of Land have been omitted to have been run out, or granted to the ſaid New Settlers at *Manchioneal* aforeſaid: And in regard it will be more advantageous and beneficial for the ſaid laſt mentioned New Settlers to have each of them a Lot on the Sea-ſhore, or Harbour of *Manchioneal*, on the aforeſaid reſerved Lands, for the Convenience of ſtoring and ſhipping their ſeveral Goods to Market, in lieu of thoſe above intended for them at the Barracks; be it enacted by the Authority aforeſaid, That ſo much of the ſaid reſerved Lands as are bordering on the Sea-ſhore or Harbour of *Manchioneal* aforeſaid, is, are, and the ſame are hereby appropriated to and for the Uſe of the ſaid New Settlers; and that each and every of them the ſaid Settlers, and their Heirs and Aſſigns, ſhall be, and they and each of them are hereby, from the paſſing of this Act, intitled to a Lot of the ſaid Land Sixty Foot in Front upon the ſaid Sea-ſhore or Harbour, and One hundred and fifty Foot in Depth, for the Uſes and Purpoſes above mentioned; or in caſe there ſhould not be ſufficient of the ſaid Land on the ſaid Bay or Sea-ſhore, for the Purpoſes aforeſaid, then that the ſaid Settlers, and their Heirs and Aſſigns, or any or either of them, ſhall and may have, and they are hereby intitled each of them to a Lot of the like Dimenſions, as aforeſaid, at the Back of thoſe bounding on the Bay or Sea-ſhore; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Every New Settler to have a Lot of Land at *Manchioneal* Harbour.

III. And be it further enacted by the Authority aforeſaid, That the aforeſaid Ten Acres of the ſaid Land, ſo by the ſaid in Part recited Act reſerved, as aforeſaid,

ſaid, for the Uſe of the ſaid New Settlers about the Barracks at *Manchioneal* aforeſaid, ſhall be, and they are hereby appropriated to and for the ſame Uſes and Purpoſes aforeſaid, for which the ſaid One hundred Acres was by the ſaid in Part recited Act intended to be reſerved, as aforeſaid. 1749.

An Act to appoint proper and certain Days for the Freeholders of the ſeveral Pariſhes within this Iſland, to meet and chuſe Veſtrymen, and other Parochial Officers; and for protecting Freeholders from Arreſts on the Days of Election of Members to ſerve in the Aſſembly.

WHEREAS, by an Act of this Iſland, entituled, *An Act for the Maintenance of Miniſters, and the Poor, and erecting and repairing of Churches*, it is, among other Things, enacted, That the reſpective Juſtices in every Pariſh within this Iſland, or any Two of them, ſhall every Year iſſue out their Warrants to the Conſtables and Tythingmen, to ſummon the Freeholders of that Pariſh together on the Second *Tueſday* in *January*, for the chuſing Ten Veſtrymen and Two Church-wardens, ſuch as ſhall conform to the Church of *England*; and whereas many Inconveniencies have ariſen from ſuch Meeting of the Freeholders of the ſeveral Pariſhes, being appointed all on one and the ſame Day, whereby many who are Freeholders in two or more Pariſhes, have been deprived of that legal Right they had of voting in every Pariſh where their ſaid Freeholders are: For Remedy whereof, may it pleaſe your moſt Excellent Majeſty that it may be enacted; be it therefore enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, That all and every Matter or Matters contained in the before recited Act, that relate to the appointing the Meeting of the Freeholders of the ſeveral Pariſhes to chuſe Veſtrymen and Church-wardens, be, and are hereby annulled and repealed. Act 162. Act 15. Cl. I. Part of it repealed.

II. And be it enacted by the Authority aforeſaid, That the ſeveral Juſtices of every Pariſh, or any Two of them, ſhall, from and after the paſſing of this Act, every Year, iſſue out their Warrants to the Conſtables and Tythingmen, to ſummon ſuch of the Freeholders of the reſpective Pariſhes as are duly qualified, to give their Voices for the chuſing Members to ſit in the Aſſembly, to meet at the uſual Place of Meeting of the Juſtices and Veſtry, on the ſeveral Days herein after mentioned; which Freeholders, when met, ſhall chuſe by the Poll Ten Veſtrymen and Two Church-wardens, which ſaid Ten Veſtrymen and Two Church-wardens ſhall be Freeholders duly qualified, as aforeſaid, except in the Pariſhes of *Port Royal*, *Kingston*, St. *David* and St. *George*, where no ſuch Qualification of the Veſtrymen ſhall be required; any thing in this, or any other Law to the contrary thereof in any wiſe notwithſtanding: That is to ſay, for the Pariſh of St. *Catherine*, on the Second *Tueſday* in *January*; for the Pariſh of *Port Royal* on the Second *Wedneſday* in *January*; for the Pariſh of *Kingston*, on the Second *Thurſday* in *January*; for the Pariſh of St. *Andrew*, on the Second *Friday* in *January*; for the Pariſh of St. *David*, on the Second *Saturday* in *January*; for the Pariſh of St. *Thomas in the Eaſt*, on the Third *Monday* in *January*; for the Pariſh of *Portland*, on the Second *Tueſday* in *March*; for the Pariſh of St. *George*, on the Second *Wedneſday* in *March*; for the Pariſh of St. *Mary*, on the Second *Thurſay* in *March*; for the Pariſh of St. *Anne*, on the Third *Friday* in *January*; for the Pariſh of St. *James*, on the Second *Tueſday* in *February*; for the Pariſh of *Hanover*, on the Third *Tueſday* in *February*; for the Pariſh of *Weſtmoreland*, on the Third *Thurſday* in *March*; for the Pariſh of St. *Elizabeth*, on the Second *Tueſday* in *January*; for the Pariſh of *Vere*, on the Firſt *Wedneſday* in *January*; for the Pariſh of *Clarendon*, on the Firſt *Tueſday* in *January*; for the Pariſh of St. *Dorothy*, on the Third *Wedneſday* in *January*; for the Pariſh of St. *John*, on the Third *Thurſday* in *January*; for the Pariſh of St. *Thomas in the Vale*, on the Firſt *Tueſday* in *February*. Time of chuſing Officers in each Pariſh.

III. And be it further enacted by the Authority aforeſaid, That the preſent Veſtries and Church-wardens of the ſeveral Pariſhes in this Iſland ſhall continue

1749. nue in their ſeveral Offices till the Days of Election of new ones herein before mentioned.

Time of electing Way-wardens.

IV. And be it further enacted by the Authority aforeſaid, That the Way-wardens for the ſeveral Pariſhes within this Iſland ſhall be elected by the ſeveral Veſtries, on the ſeveral Days herein before mentioned, or within one Month after ſuch Days; and if ſuch Veſtries ſhall neglect to chuſe ſuch Way-wardens, on the Days aforeſaid, or within one Month after the ſame, then the Juſtices in their Quarter-Seſſions ſhall appoint ſuch Way-wardens; any Thing in any Act or Law to the contrary notwithſtanding.

Civil Writs not to be executed on Freeholders on Days of Election, nor 48 Hours after.

V. And whereas divers Freeholders of this Iſland have been prevented from attending at, and giving their Voices for the Election of their Repreſentatives to ſerve in the Aſſembly of this Iſland, of the reſpective Pariſhes, from the Apprehenſion of Arreſt or Impriſonment, by virtue of the judicial or meſne Proceſs of the Courts of Law in this Iſland: For Remedy whereof, and for the better ſecuring the Freedom of ſuch Elections, be it further enacted by the Authority aforeſaid, That no judicial or meſne Proceſs of Law in Civil Cauſes ſhall be executed on the Perſon of any Freeholder, of the ſeveral and reſpective Pariſhes, on the Day of the Election of Members of the Aſſembly of or for the Pariſh for whom ſuch Freeholder has a Right of Voting, or within Fort-eighty Hours after ſuch Election; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Penalty on Juſtices and Veſtrymen not appearing when duly ſummoned.

VI. And be it enacted by the Authority aforeſaid, That from and after the Firſt Day of *December* which ſhall be in the Year of our Lord One thouſand ſeven hundred and fifty, any Juſtice of the Peace or Veſtryman who ſhall not appear, when duly ſummoned by Warrant under the Hand and Seal of Two Juſtices of the Peace of the Pariſh whereof he is a Juſtice or Veſtryman, on the Day and Place mentioned in ſuch Warrant, ſhall, upon Complaint and Proof thereof being made, for every ſuch Offence forfeit the Sum of Forty Shillings, to be recovered and levied by Diſtreſs and Sale of the Offenders Goods and Chattels, by Warrant under the Hand and Seal of one Juſtice of the ſaid Pariſh; and the ſame ſhall be paid into the Hands of the Church-wardens of the ſaid Pariſh, for and to the Uſe of the Poor of ſuch Pariſh; and all Penalties heretofore laid, by any Law now in being, for the Non-Appearance of the Juſtices and Veſtrymen at Veſtries, ſhall, after the ſaid Firſt Day of *December* which ſhall be in the Year of our Lord One thouſand ſeven hundred and fifty, be no longer incurred and inflicted; any thing in any Act, or Law of this Iſland, to the contrary notwithſtanding.

Proviſo.

VII. Provided always, and be it enacted by the Authority aforeſaid, That in all Caſes where there ſhall be Two Juſtices at ſuch Meeting, no Penalties ſhall be incurred by the Juſtices that ſhall be abſent from the ſame; and in Caſes where there ſhall be Six Veſtrymen at ſuch Meeting, no Penalties ſhall be incurred by the Veſtrymen that ſhall be abſent from the ſame.

Power veſted in Juſtices and Veſtry, to be exerciſed by either of them, &c.

VIII. And be it further enacted by the Authority aforeſaid, That in all Laws heretofore paſſed, where any Power or Authority is veſted in the Juſtices and Veſtries of the ſeveral reſpective Pariſhes of this Iſland, or any of them, ſuch Power and Authority ſhall be executed by the Juſtices, or any Two of them, in Pariſhes where no Veſtries are; or by the Veſtrymen, or any Six of them, in Pariſhes where no Juſtices are, reſpectively.

IX. And be it enacted by the Authority aforeſaid, That the Secretary of this Iſland do forthwith cauſe this Act to be printed, and one Copy thereof to be tranſmitted to every *Cuſtos*, or Chief Magiſtrate of each Pariſh in this Iſland, and Three Copies to each of the Members of the Council and Aſſembly; and that the Expence of printing the ſame ſhall be paid by the Honourable *Benjamin Hume*, Eſquire, the Commiſſioner, or the Commiſſioner for the Time being, out of any Money in his Hands unappropriated.

*

An Act to amend an Act, entituled, An Act to repeal Part of an Act, entituled, An Act for the more effectual Puniſhment of Crimes committed by Slaves, and to oblige the ſeveral Pariſhes to pay for all Negroes executed in each reſpective Pariſh. 1749.

WHEREAS, by an Act of the Governor, Council, and Aſſembly of this Iſland, entituled, *An Act to repeal Part of an Act, entituled, An Act for the more effectual Puniſhment of Crimes committed by Slaves; and to oblige the ſeveral Pariſhes to pay for all Negroes executed in each reſpective Pariſh,* paſſed in One thouſand ſeven hundred and forty, it is among other Things enacted, That in all Caſes where any Slave or Slaves ſhall, from the making of the ſaid Act, be put on his, her, or their Trial, by the Owner or Proprietor of ſuch Slave or Slaves, and ſhall be executed and valued according to the Direction of the ſaid Act for the more effectual Puniſhment of Crimes committed by Slaves; that, in all ſuch Caſes, the Sum or Sums of Money at which ſuch Slave or Slaves ſhall be valued, ſhall be paid by the reſpective Pariſh or Pariſhes wherein ſuch Slave or Slaves ſhall be ſo tried, valued, and executed, and no otherwiſe: And whereas there are in ſeveral of the Precincts of this Iſland Two or more Pariſhes, which are within the Juriſdiction of the ſame Magiſtrates acting under the ſame Commiſſion, whereby it hath often happened, that Slaves, committing Crimes in one Pariſh, have been tried and executed for the ſame in another Pariſh, and have been likewiſe valued in ſuch other Pariſh; whereby it hath happened that the Pariſh in which ſuch Trial, Valuation, and Execution was had, done, and made, hath been greatly burdened: For Remedy whereof, be it enacted by the Govenor, Council, and Aſſembly of this his Majeſty's Iſland; and it is hereby enacted by the Authority of the ſame, That ſuch Part, and ſo much of the ſaid firſt mentioned Act, as is herein before recited, be, and the ſame is hereby annulled and repealed, to all Intents and Purpoſes whatſoever. Act 163. *Repeal of* Cl. I. Act 124.

II. And be it further enacted by the Authority aforeſaid, That in all Caſes where any Slave or Slaves ſhall, from the paſſing of this Act, be put on his or her Trial, by the Owner or Proprietor of ſuch Slave or Slaves, and ſhall be valued and executed according to the Direction of the ſaid Act, for the effectual Puniſhment of Crimes committed by Slaves, ſuch Slave or Slaves ſhall be paid for by the Pariſh in which the Crime for which ſuch Slave or Slaves were tried and executed, was committed. Slaves convicted, to be paid for by the Pariſh where the Crime was committed.

III. Be it further enacted by the Authority aforeſaid, That all Slaves that have heretofore been tried, valued, and executed, for Crimes committed in Pariſhes, other than the Pariſhes wherein ſuch Slaves were tried, valued, and executed, and have not been already paid for, according to ſuch Valuation, by the Pariſhes in which they were ſo tried, valued, and executed, ſhall be paid for by the Pariſhes in which the Crime for which ſuch Slaves were tried and executed, was committed; any thing in the ſaid firſt mentioned Act to the contrary notwithſtanding. Alſo thoſe formerly executed, &c.

IV. Be it further enacted by the Authority aforeſaid, That all and every Part of the ſaid firſt mentioned Act, not herein repealed, or altered, ſhall be and remain in full Force and Virtue. Former Act confirmed.

VI. And be it further enacted by the Authority aforeſaid, That Copies of this Act ſhall be ſent by the Secretary of this Iſland to the *Cuſtos Rotulorum*, and the ſeveral Magiſtrates of every Pariſh of this Iſland; the Charge of which Copies ſhall be paid for by the Honourable *Benjamin Hume*, Eſquire, Commiſſioner, or the Commiſſioner for the Time being, out of any Money in his Hands unappropriated.

1749. *An Act for the Building of a Guard-House and Barrack in the Town of* Kingston.

Act 164. WHEREAS, on account of the great Concourſe of Negroes and other Slaves coming from divers Parts of the Country into the Town of *Kingſton* to Market, and on other Occaſions, it hath been found neceſſary for the Publick Safety, that Guards ſhould be kept there to prevent, as much as poſſible, any Diſorders or Diſturbances amongſt them, and to fruſtrate and defeat any of their evil Purpoſes or Deſigns: And whereas, for Want of a proper Guard-Houſe and Barracks for the Reception of Soldiers, that Duty hath been performed by, and fallen very heavy on, the Inhabitants of the ſaid Town, who have been obliged conſtantly to keep Guard there from *Saturday* until *Monday* in every Week, and on all the uſual Holidays in each Year: And whereas it hath been repreſented to the Aſſembly of this Iſland, that the Inhabitants of the ſaid Town are willing to contribute, as much as in their Power, to the Expence of building a proper Guard-Houſe and Barracks, for the Purpoſes above-mentioned; but that, on account of their preſent neceſſitous Circumſtances, they are unable to bear the whole Charges and Expence of the ſame: Be it enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted and ordained by the Authority of the ſame, That *Edward Manning*, *Lucock Griffen*, *John Morſe*, *John Hall*, and *William Peete*, Eſquires, be, and are hereby appointed Commiſſioners, for the building and compleating a good and ſufficient Guard-Houſe and Barrack in the ſaid Town of *Kingſton*, for the Reception of Soldiers to keep Guard in the ſaid Town; and the ſaid Commiſſioners, or any Three of them, are hereby authorized and impowered to lay out and allot a ſufficient Piece of Ground adjoining to the Parade of the ſaid Town, or to purchaſe any Lot or Lots of Land in any other Part of the ſaid Town, whereon to erect the ſaid Building, and to contract and agree with the Workmen, and purchaſe all Materials for the ſame.

Commiſſioners appointed for building the Barrack.

II. And as an Encouragement to ſo fit and neceſſary an Undertaking, be it further enacted by the Authority aforeſaid, That the Honourable *Benjamin Hume*, Eſquire, the Commiſſioner for the Receipt and iſſuing the publick Money, or the Commiſſioner for the Time being, do pay unto the ſaid Commiſſioners, firſt above-named, the Sum of One thouſand Pounds, towards the Expence of erecting the ſaid Guard-Houſe and Barracks, out of any Money in his Hands unappropriated: And all other Sums of Money, that ſhall or may be neceſſary to the compleating of the ſame, ſhall be paid by the ſaid Town and Pariſh of *Kingſton*; to be raiſed and levied in the ſame Manner as the Pariſh Taxes are uſually raiſed and levied.

1000 *l.* granted for it.

An Act to prevent the clandeſtine killing and marking of Cattle, and for the better regulating of Hunting.

Act 165. WHEREAS many Planters of this Iſland have ſuffered conſiderably by divers evil-minded and diſorderly Perſons, who, under Pretence of Hunting or going after Wild Cattle, have clandeſtinely entered the grazing and other Lands of ſeveral of the ſaid Planters, and the waſte Lands near or adjacent to the ſame, and diſabled, killed, and carried off great Numbers of Cattle, the Property of particular Perſons; who, for want of timely Notice of ſuch Hunting, have not been able to protect their Property, or of detecting the ſaid Offenders, and bringing them to Juſtice: For Remedy whereof, be it enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*; and it is hereby enacted and ordained by the Authority of the ſame, That no Perſon or Perſons whatſoever, other than the Owners or Poſſeſſors of known Pens of Cattle, his, or their Servants, or Slaves, ſhall be allowed to hunt, purſue, take up, or kill any Cattle, Horſes, Mares, Mules, or Aſſes, in any *Savannah*, Common, waſte or unincloſed Lands, or in any other Lands whatſoever, under the Penalty

None but Owners of Pens, &c. allowed to hunt Cattle.

nalty of One hundred Pounds; and that no Owners or Proprietors of any Pens of Cattle, or his or their Overſeers, Servants, or Slaves, ſhall preſume to go out to hunt any Cattle, Horſes, Mares, Mules, or Aſſes, in any *Savannah*, Common, waſte or unincloſed Land, with Lances, Guns, Cutlaſſes, or other Inſtruments of Death, without firſt having obtained a Licence from the *Cuſtos*, or ſome other Magiſtrate of the Pariſh, ſpecifying the Time and Place of Hunting; and without firſt giving Forty-eight Hours Notice thereof to the Proprietors of all the next adjoining Pens, Plantations, and Settlements, or their Overſeers, in order to their defending their Property, under the Penalty of One hundred Pounds. 1749.

Nor they till they have obtained a Licence.

II. And be it further enacted by the Authority aforeſaid, That upon any ſuch Notice given as aforeſaid, it ſhall and may be lawful to and for the Owners or Proprietors of the next adjoining Pens, Plantations, or Settlements, or his or their Overſeers, to go, or ſend any White Perſon in his or their Behalf, in Company with the ſaid Hunters, in order to be preſent at the Taking or Killing any of the aforeſaid Cattle, Horſes, Mares, Mules, or Aſſes, and to prevent any Depredations on the Stock of the ſaid Proprietors; and when and as often as any Neat Cattle ſhall be killed in ſuch Hunting, the Perſon killing, or at whoſe Inſtance the ſame ſhall be killed, ſhall, and is hereby obliged, within Twenty-four Hours afterwards, to give Notice thereof to the next adjoining Pens, Plantations, or Settlements, that the Perſons reſiding there may be at Liberty to come and view the ſame, under the Penalty of One hundred Pounds for every Offence.

Perſons killing hunted Cattle to give Notice thereof to the adjoining Pens, &c.

III. And be it further enacted by the Authority aforeſaid, That no Owners or Proprietors of any Pen of Cattle who ſhall obtain ſuch Licence as aforeſaid, ſhall go out after, or hunt any Cattle, Horſes, Mares, Mules, Aſſes, in any Lands above Ten Miles diſtant from his or their own Pen of Cattle, under the Penalty of One hundred Pounds: All which ſaid Penalties are to be recovered in the Supreme Court of Judicature of this Iſland, by Action of Debt, Bill, Plaint, or Information, wherein no Injunction, Eſſoin, Protection, or Wager of Law ſhall be granted or allowed, or *Non vult ulterius proſequi* entered; one Moiety, or Half-Part thereof, to be to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Moiety to him or them who ſhall ſue for the ſame.

Not to hunt above 10 Miles diſtant from their own Pens.

IV. Provided always, That nothing in this Act mentioned ſhall extend, or be conſtrued to extend, to impeach the Right of any Perſon or Perſons penning their own Stock in the common and ordinary Method heretofore uſed, provided ſuch Perſons carry with them no Inſtruments of Death; or to prevent or reſtrain any Perſon or Perſons from hunting Cattle in his or their own Lands with Intent to kill the ſame, ſuch Perſon or Perſons giving Notice thereof to the next adjoining Pens, Plantations, and Settlements, in Manner as above-mentioned, in order to their being on their Guard; ſuch Perſon or Perſons, in caſe of taking and killing any neat Cattle, giving Notice thereof to the Perſons reſiding in the ſaid adjoining Settlements, as aforeſaid.

Proviſo.

V. And it is further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall, at any Time hereafter, fraudulently or deſignedly put any falſe burnt Mark, carved Mark, or any other Marks, or deface any old Mark on any Cattle, he or they ſhall, for ſuch Offence, be guilty of Felony.

Falſe marking Cattle, Felony.

VI. And be it further enacted by the Authority aforeſaid, That no Negroe or other Slave ſhall be allowed to hunt any of the abovementioned Cattle, in any Part of this Iſland, with Lances, Guns, Cutlaſſes, or other Inſtruments of Death, unleſs in the Company of his or their Maſter, Overſeer, or ſome other White Perſon by him or them deputed: And if any Negroe or other Slave ſhall offend, contrary to the true Intent and Meaning of this Act, he or they, being thereof convicted before Two Juſtices and Three Freeholders, ſhall be guilty of Felony; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Felony for Slaves hunting but in Company with their Maſters, &c.

VII. And whereas divers Negroe and other Slaves have made it a common Practice to go in and about the ſeveral Pariſhes armed with a Muſquet, and with Powder

1749. Powder and Shot, and oftentimes kill and wound the Stock of divers of the Planters, in or near the waſte Ground or *Savannahs* bordering on the ſeveral Pens and Plantations; but for Want of ſufficient Evidence it hath been found very difficult to convict them of the ſame, they, upon any Enquiry, pretending they are ſent out by their Maſters or Overſeers to ſhoot Pidgeons, or other Fowl; be it enacted by the Authority aforeſaid, That no Negroe or other Slave ſhall be allowed to carry any Muſquet, or other Fire-Arms, in or about any Pariſh of this Iſland, without a Ticket from his or their Maſter or Overſeer, ſpecifying the Purpoſe for which ſuch Negroe, or other Slave, ſhall be armed, as aforeſaid; under the Penalty of ſuffering ſuch corporal Puniſhment as any Two Juſtices ſhall think proper to inflict, not extending to Life or Member.

Slaves not to carry Fire-Arms without a Ticket.

VIII. And be it further enacted by the Authority aforeſaid, That the Secretary of this Iſland do cauſe this Act to be printed, and Five Copies thereof delivered to the Governor, and to each of the Members of the Council and Aſſembly, and Five Copies tranſmitted to each *Cuſtos Rotulorum*, to be read in the Veſtry and at each Quarter Seſſions; the Charges whereof ſhall be paid him by the Honourable *Benjamin Hume*, Eſquire, the Commiſſioner, or the Commiſſioner for the Time being, out of any Money unappropriated in his Hands.

1750. ## *An Act for continuing and explaining an Act, entituled,* An Act for the aſſaying of Gold and Silver Wares and Bullion.

Act 166. WHEREAS an Act of the Governor, Council, and Aſſembly of this Iſland, entituled, *An Act for the aſſaying of Gold and Silver Wares and Bullion*, paſſed in the Year One thouſand ſeven hundred and forty-ſeven, hath in a great meaſure anſwered the Purpoſes for which it was intended, and will with ſome Explanation fully anſwer the ſame: And whereas the ſaid Act will ſoon expire, we therefore, your Majeſty's moſt dutiful and loyal Subjects, the Governor, Council, and Aſſembly of this your Majeſty's Iſland, do humbly beſeech your Majeſty that it may be enacted; be it therefore enacted by the Governor, Council, and Aſſembly of this your Majeſty's ſaid Iſland of *Jamaica*, and it is hereby enacted and ordained by the Authority of the ſame, That the ſaid Act, and every Clauſe, Matter and Thing therein contained, ſhall be, remain, and continue in full Force and Virtue, from the paſſing of this Act unto the full End and Term of Four Years, and from thence to the End of the next Seſſions of Aſſembly, and no longer.

Former Act continued,

II. And be it further enacted and declared by the Authority aforeſaid, That it is the true Intent and Meaning of the Act above recited, that when any Plate ſhall be ſold that conſiſts of many Pieces of Plate ſoldered or rivetted together, every Piece of Plate ſo ſoldered or rivetted together ſhould receive a diſtinct and ſeparate Aſſay, and be marked accordingly, ſaving and except the Pieces of Plate that ſhall be ſo ſmall as not to require a diſtinct and ſeparate Aſſay, within the Meaning of the ſaid Act.

and further explained.

III. And be it further enacted by the Authority aforeſaid, That the Secretary of this Iſland do cauſe this Act to be printed, and Three Copies thereof to be delivered to the *Cuſtos*, or other Chief Magiſtrate of every Pariſh in this Iſland, to be by them promulgated according to their Diſcretion.

IV. And be it further enacted by the Authority aforeſaid, That this Act, and every Thing therein contained, ſhall be in Force unto the full End and Term of Four Years, and from thence to the End of the next Seſſions of Aſſembly, and no longer.

An

An Act for giving the ſame Allowances to New-Comers, who ſhall take up and ſettle Lands within the Pariſh of Portland, *as thoſe New-Comers are entitled to who have taken up Lands at or near* Norman's Valley, *or at or near* Manchioneal Harbour, *by virtue of an Act entituled,* An Act for introducing of White People into this Iſland, for ſubſiſting them for a certain Time, and providing them with Land, that they may become Settlers. 1750.

WHEREAS, by an Act entituled, *An Act for introducing of White People into this Iſland, for ſubſiſting them for a certain Time, and providing them with Land that they may become Settlers,* it is enacted that the Paſſage of ſuch Perſons, being New-Comers within the Deſcription of the ſaid Act, who ſhould take up Lands veſted in his Majeſty by virtue of the ſame, at or near *Manchioneal Harbour*, or at or near *Norman's Valley*, ſhould be paid; and that they, their Families, Servants, and Slaves, ſhould be ſubſiſted for Twelve Months by the Receiver-General, after the Manner in the ſaid Act preſcribed: And whereas the Lands at *Manchioneal Harbour*, which were veſted by the ſaid Act in his Majeſty, for the Uſe of the ſaid New-Comers only, are already granted and taken up: And whereas there are ſeveral Perſons lately arrived, depending upon the Encouragement given by the ſaid Act, who, in caſe there had been Land ſufficient for them in the ſaid Tract at *Manchioneal Harbour*, would have taken up Lands within the ſame, and thereby would have been entitled to have had their Paſſage paid, and to have received their Subſiſtence, agreeable to the ſaid Law, and who, for Default of Lands within the ſaid Tract, have taken up Lands within the Pariſh of *Portland:* And whereas it is probable, that many others, from the ſame Inducement, may ſoon arrive in this Iſland, who, for the Reaſons aforeſaid, will not be entitled to the ſaid Allowances; we therefore your Majeſty's moſt dutiful and loyal Subjects, the Aſſembly of this your Majeſty's Iſland, being always deſirous to give all Manner of Encouragement to Perſons to come and cultivate the Lands thereof, do moſt humbly beſeech your Majeſty that it may be enacted; be it therefore enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland, and it is hereby enacted by the Authority of the ſame, That ſuch ſeveral Perſons, being New-Comers within the true Intent and Meaning of the ſaid recited Act, and who have complied, or ſhall in all Things comply, with the ſeveral Clauſes and Reſtrictions thereof (the taking up Lands in the ſaid ſeveral Tracts at *Manchioneal Harbour* and *Norman's Valley* only excepted) and who have already taken or ſhall take up Lands in any Part of the Pariſh of *Portland*, upon and under the ſame Conditions, Reſtrictions, and Engagements, that the Lands in the ſaid Two Parcels at *Manchioneal Harbour* or *Norman's Valley* are, or ought to be granted; and who have made or ſhall make Settlements on the ſaid Lands ſo taken up, according to the true Intent and Meaning of the ſaid Act, ſhall be entitled to the ſame Allowances, Subſiſtances, and to all other Immunities and Privileges, that other New-Comers are entitled unto, and ſhall be obliged to make the ſame Reimburſements, and to hold their Lands upon the ſame Terms, and under the ſame Limitations that the ſaid New-Comers are ſubject unto by virtue of the ſaid Act, who have actually had Grants of Lands, and made Settlements thereon, within the afore-mentioned Tracts at *Manchioneal Harbour* and *Norman's Valley*. Act 167. Privileges, &c. of Perſons ſettling at *Portland*.

II. And whereas the Oath directed in the ſaid Act to be taken by New-Comers, deſigning to take the Benefit of that Law, will not be proper for ſuch Perſons, being New-Comers, as intend to take up Grants and make Settlements, not within the Bounds of the ſaid Two ſeveral Tracts of Land; be it therefore further enacted, That for the future all New-Comers, inſtead of the Oath therein preſcribed do take the following Oath (or, if a Quaker, his ſolemn Affirmation) *viz.*

1750. I A. B. *do ſwear, That my Deſign and Intention of coming to this Iſland is to become a Settler upon the Lands veſted in his Majeſty by virtue of an Act, entituled,* An Act for introducing of White People in this Iſland, for ſubſiſting them for a certain Time, and providing them with Land, that they may become Settlers, *or upon ſome Part of the Lands within the Pariſh of* Portland; *and that I will, as ſoon as poſſible, go upon and ſettle ſuch Land as ſhall be granted to me.*

Oath to be taken inſtead of that in Act 107, Cl. III.

So help me God.

Which Oath or Affirmation the Receiver-General or his lawful Deputy is hereby required and impowered to adminiſter.

III. And be it further enacted by the Authority aforeſaid, That the Receiver-General do cauſe One hundred Copies of this Act to be printed, and to be diſperſed in ſuch Manner as his Excellency the Governor ſhall direct.

This Act to be in Force Seven Years.

IV. And be it further enacted by the Authority aforeſaid, That this Act, and every thing therein contained, ſhall be and remain in Force, from the paſſing thereof, for the Term of Seven Years, and from thence to the End of the then next Seſſions of Aſſembly, and no longer.

An Act to compel all Perſons that ſhip Sugars from this Iſland to Great Britain, *or any foreign Market, to pay Freight for the ſame by Weight, and to prevent the Owners and Maſters of Veſſels from agreeing for the Freight of ſuch Sugars in any other Manner.*

Act 168. WHEREAS the Practice, which hath hitherto much prevailed in this Iſland, of ſhipping Sugars by the Ton, at Four Hogſheads to the Ton, hath been found to be very inconvenient and prejudicial, both to the Shippers of ſuch Sugars, and to the Owners and Maſters of Ships, and other Veſſels on board of which ſuch Sugars were ſhipped: For Remedy whereof, be it enacted by the Governor, Council, and Aſſembly of this Iſland; and it is hereby enacted and ordained by the Authority of the ſame, That from and after the paſſing of this Act, no Perſon whatſoever ſhall pay or bargain, contract or agree, with any Owner, Maſter, Mate, or other Officer of any Ship or Veſſel, or with any other Perſon whatſoever, to pay Freight for any Sugars that ſhall be ſhipped in any Harbour, Bay, Port, Creek, or Place, in or belonging to this Iſland, for *Great Britain, North America,* or any foreign Market, in any other Manner, Meaſure, or Proportion, than by the Weight of ſuch Sugars in *Great Britain, North America,* or any ſuch foreign Market where ſuch Sugars ſhall be ſhipped to or unladen reſpectively, under the Penalty of Two Shillings and Six-Pence for every Hundred and twelve Pounds Avoirdupoiſe-Weight of Sugar they ſhall ſo pay or bargain, contract or agree to pay Freight for, contrary to the true Intent and Meaning of this Act; and ſo for a greater or leſſer Quantity: And no Owner, Maſter, Mate, or Officer, or other Perſon whatſoever, ſhall, within this Iſland, receive or take, or bargain, contract, or agree to receive or take Freight for ſuch Sugars ſo to be ſhipped as is aforeſaid, in any other Manner, Meaſure, or Proportion, than by the Weight of ſuch Sugars, at the Places to which they ſhall be ſhipped, or at which they ſhall be unladen, as is herein before directed as to Shippers thereof, under the like Penalty of Two Shillings and Six-Pence for every One hundred and twelve Pounds Avoirdupoiſe-Weight of Sugar they ſhall receive or take, or bargain, contract, or agree to receive or take Freight for, contrary to the true Intent and Meaning of this Act; which ſaid Penalties in this Act before mentioned, ſhall, upon the Oath of One or more credible Witneſſes, or the Confeſſion of the Offender or Offenders, be recovered before any One Juſtice of the Peace of this Iſland; which ſaid Juſtice of the Peace, after Conviction, is hereby authorized and required to cauſe the ſaid Penalties to be levied by Diſtreſs upon the ſaid Offender or Offenders Goods and Chattels, in the ſame Form and

Freight of Sugars to be paid for by Weight.

Penalties on thoſe Offending,

levied by Diſtreſs.

Manner as the Levies by Diſtreſs are by Law directed to be made for Non-payment of the Pariſh-Taxes within this Iſland: And in caſe no Goods and Chattels, or Goods and Chattels of ſuch Offenders not ſufficient to pay ſuch Penalties ſo adjudged as aforeſaid, can be found; then, and in ſuch Caſe, ſuch Juſtice ſhall commit ſuch Offender or Offenders to Gaol, there to remain, without Bail or Mainprize, till he or they have ſatisfied and diſcharged ſuch Penalties, ſo adjudged in Manner aforeſaid; and all Penalties recovered by virtue of this Act ſhall be the one Moiety to the Poor of the Pariſh wherein ſuch Penalties ſhall be recovered, and the other Moiety to him or them who ſhall inform, proſecute, and ſue for the ſame. 1750.

II. AND whereas many Difficulties may ariſe to the Juſtices of the Peace, in coming at the exact Knowledge of the Quantity of Sugars each Caſk or other Package of Sugar ſhall contain that ſhall be ſhipped contrary to the Tenor of this Act; be it therefore enacted by the Authority aforeſaid, That in all Trials to be had by virtue of this Act, the Juſtice of Peace, before whom ſuch Trials ſhall be had and held, ſhall, in caſe no poſitive Proof be made before him of the exact Quantity of Sugar each Caſk or other Package ſhall contain, determine and adjudge each Hogſhead did contain Fourteen hundred Weight Avoirdupoiſe, and each Tierce Eight hundred Weight Avoirdupoiſe, and every other Sort of Package the Weight of which he, upon hearing the Evidence, in his Diſcretion ſhall think it did; and ſhall give Sentence accordingly. Juſtices to determine the Weight of Sugars where no Proof, &c.

III. PROVIDED always, That this Act, nor any thing therein contained, ſhall have any Effect, Power, or Authority over Bargains, Contracts, or Agreements for Freight of Sugars, now made or to be made in *Great Britain*, or elſewhere, out of this Iſland; nor over Bargains, Contracts, or Agreements, that ſhall be made in this Iſland for the lading any Ship or Veſſel, for any Sum of Money, or other Conſideration in groſs, for the ſole, whole, and entire Loading of ſuch Ship or other Veſſel. Proviſo;

IV. AND be it further enacted, That this Act ſhall be printed, and Three Copies thereof ſhall be ſent to the Governor and to each of the Members of the Council and Aſſembly, and Twelve Copies thereof to the *Cuſtos* or Chief Magiſtrate of every Pariſh within this Iſland, who are hereby required and directed to make the ſame publick.

An Act for appointing Standard-Weights to be kept at ſundry Places near the Out-Ports of this Iſland; and to oblige the Perſons keeping ſuch Weights, and the Clerks of the Market, to prove all Weights by the Standard at ſtated Times.

ACT 169.

WHEREAS great Quantities of Sugar and other Commodities are ſold by Weight in many Parts of this Iſland which are ſituated at ſo great a Diſtance from either of the three Towns, in which Towns only the Standard-Weights are at preſent kept, that Perſons keeping Weights for the weighing the ſaid Commodities have not the Means of adjuſting ſuch their Weights by the Standard-Weights, from Time to Time, as they ought, whereby much Uncertainty hath been introduced in the Trade of this Iſland, and great Loſſes have been ſuſtained by the Buyers of ſuch Sugar and Commodities: For Remedy whereof, we, your Majeſty's moſt dutiful and loyal Subjects, the Aſſembly of this your Majeſty's Iſland of *Jamaica*, do moſt humbly beſeech your Majeſty that it may be enacted; and be it enacted by the Governor, Council, and Aſſembly of this Iſland, and it is hereby enacted and ordained by the Authority of the ſame, That the Honourable *Benjamin Hume*, Eſq; the Receiver-General, or the Receiver-General for the Time being, do, with all convenient Speed, remit to *Great Britain* as much Money as may be neceſſary, and do give Orders there for the buying and ſending over to this Iſland Twenty Braſs Beams, of a Size convenient for weighing Weights by the Standard-Weights, and Twenty Pair of Scales, furniſhed with Chains and Hooks, fit and proper for the ſaid Beams, and Twenty Setts of Braſs Standard-Weights, each Sett of which ſhall conſiſt of One Weight Beams and Scales to be imported by the Receiver-General,

1750. Weight of fifty-ſix Pounds Avoirdupoiſe-Weight, One of twenty-eight Pounds of the ſame Weight, One of fourteen Pounds of the ſame Weight, One of ſeven Pounds of the ſame Weight, One of four Pounds of the ſame Weight, One of two Pounds of the ſame Weight, and One of one Pound of the ſame Weight; which Beams, Scales, and Setts of Weights, when they ſhall be brought to this Iſland, he, the ſaid Honourable *Benjamin Hume*, Eſq; or the Receiver-General for the Time being, ſhall diſtribute and ſend to the Places following; that is to ſay, One Beam, Pair of Scales, and Sett of Weights, to *Old Harbour*, *Peak Bay*, *Milk River*, *Black River*, *Savannah Le Mar*, the *Barcadier*, called the *Hope*, *Green Iſland Bay*, *Lucea Harbour*, *Montego Bay*, *Martha Brie*, St. *Ann*'s *Bay*, *Ora Cabeſſa Bay*, *Port Maria Bay*, *Anotto Bay*, the Town of *Tichfield*, *Plantain Garden River*, *Port Morant Harbour*, *Morant Bay*, and *Yellows Bay*; to be kept at the ſaid ſeveral and reſpective Places.

and ſent to theſe ſeveral Places.

To be kept by the Clerks of the Markets.

II. And be it enacted by the Authority aforeſaid, That the ſaid Beams, Scales, and Weights, ſhall be kept at the Places herein before directed, under the Cuſtody of the Clerk of the Market of this Iſland, or ſuch Perſon or Perſons as he ſhall appoint; or in the Abſence of the Clerk of the Market, or the not appointing a Perſon or Perſons to act for him, then and in ſuch Caſe under the Cuſtody of ſuch Perſon or Perſons as the Juſtices and Veſtry, or Juſtices where no Veſtries are, or Veſtries where no Juſtices are, of the Pariſhes wherein ſuch Beams, Scales, and Weights, are hereby ordered to be kept, ſhall direct and appoint.

Their Fees:

III. And be it enacted by the Authority aforeſaid, That all Perſons having the Cuſtody of ſuch Beams, Scales, and Weights, ſhall, for every Weight they ſhall weigh and adjuſt to the Standard-Weight, be entitled to a Fee of Three-Pence, and no more.

They are to prove the Weights of Factors, &c. every Two Months,

and Weights on Wharfs twice a Year.

IV. And be it further enacted by the Authority aforeſaid, That the Clerk of the Market of the Town of St. *Jago de la Vega* ſhall prove the Weights kept and made uſe of by the Factors, Merchants, and Shopkeepers, and others ſelling Goods by Weight, of the ſaid Town; and likewiſe ſhall prove the Weights kept and made uſe of at the Wharfs at *Paſſage-Fort*; and the Clerks of the Markets for the Towns of *Kingſton* and *Port Royal*, ſhall prove the Weights kept and made uſe of at the publick Wharfs, and by the Factors, Merchants, and Shopkeepers, and others ſelling Goods by Weight there, every Two Months; and the Perſons appointed to keep the Standard-Weights by virtue of this Act, ſhall prove the Weights kept and made uſe of upon any publick Wharfs at the Places where the ſaid Weights are kept reſpectively, twice in a Year, in the Months of *February* and *May*, under the Penalty of Fifty Pounds upon every Clerk of the Market, or Perſon who ſhall neglect to prove ſuch Weights; to be recovered in the Supreme Court of Judicature of this Iſlnnd, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoin, Wager of Law, or Injunction, ſhall be granted, or *Non vult ulterius proſequi* be entered; one Moiety thereof ſhall be to the Uſe of his Majeſty, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Moiety thereof to the Informer, or him or them who ſhall ſue for the ſame.

Penalty on Perſons refuſing to have their Weights proved.

V. And be it enacted by the Authority aforeſaid, That no Perſon whatſoever ſelling Goods by Weight, ſhall refuſe to ſubmit to have his or their Weights proved, as aforeſaid, under the Penalty of Fifty Pounds to the Clerk of the Market, or Perſon keeping ſuch Standard-Weights, by virtue of this Law; to be recovered in the Supreme Court of Judicature of this Iſland, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoin, Wager of Law, or Injunction, ſhall be granted, or *Non vult ulterius proſequi* be entered.

VI. And be it further enacted by the Authority aforeſaid, That the Charges attending the buying and bringing to this Iſland the ſaid Beams, Scales, and Weights, and of ſending them to the Places herein before directed, ſhall be allowed and paid to ſaid Honourable *Benjamin Hume*, Eſq; the Receiver-General, or the Receiver-General for the Time being, out of any Money in his Hands unappropriated.

An

An Act for repealing of two ſeveral Acts; the one entituled, An Act for the Eaſe of the Inhabitants of the Pariſh of St. *James, paſſed in One thouſand ſeven hundred and thirty-three; and the other entituled,* An Act for repealing an Act entituled, An Act for the Eaſe of the Inhabitants of the Pariſh of St. *James,* and appointing the Places for holding the Courts of Quarter-Seſſions, Common Pleas, and other publick Buſineſs of the Pariſh, *paſſed in One thouſand ſeven hundred and thirty-ſix.* 1750.

ACT 170.

WHEREAS two ſeveral Acts of the Governor, Council, and Aſſembly of this Iſland; the one entituled, *An Act for the Eaſe of the Inhabitants of the Pariſh of St.* James, paſſed in One thouſand ſeven hundred and thirty-three; and the other entituled, *An Act for repealing an Act entituled, An Act for the Eaſe of the Inhabitants of the Pariſh of St.* James, *and appointing the Place for holding the Courts of Quarter-Seſſions, Common-Pleas, and other publick Buſineſs of the Pariſh,* paſſed in the Year One thouſand ſeven hundred and thirty-ſix, have been found inconvenient by the Inhabitants of the ſaid Pariſh: We therefore, your Majeſty's moſt dutiful and loyal Subjects, the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica,* do humbly beſeech your Majeſty that it may be enacted; and it is hereby enacted by the Authority of the ſame, That both the ſaid Acts, and every Clauſe, Matter, and Thing in them contained, be and ſtand, and are hereby repealed.

An Act for the more effectually carrying into Execution an Act entituled, An Act for the laying out a Road from *Pepper Plantation* over *May-Day Hills,* in the Pariſh of St. *Elizabeth,* to St. *Jago Savannah,* in the Pariſh of *Clarendon.*

ACT 171.

WHEREAS the Commiſſioners appointed by an Act entituled, *An Act for laying out a Road from* Pepper Plantation *over* May-Day Hills, *in the Pariſh of St.* Elizabeth, *to St.* Jago Savannah, *in the Pariſh of* Clarendon, paſſed in the Year of our Lord One thouſand ſeven hundred and forty-ſeven, by reaſon of their great Diſtance from that Part of the Country through which the Road intended by the ſaid Act to be laid out, have not been able to make a *Quorum* of the ſaid Commiſſioners ſo often as was neceſſary to complete the ſame: For Remedy whereof, and that the ſaid Road may be effectually and expeditiouſly laid out and finiſhed, we, your Majeſty's moſt dutiful and loyal Subjects, the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica,* do moſt humbly beſeech your Majeſty that it may be enacted; be it therefore enacted by the Governor, Council, and Aſſembly of this Iſland, and it is hereby enacted and ordained by the Authority aforeſaid, That all the Commiſſioners appointed in and by the ſaid Act, ſhall, from and after the paſſing of this Act, ceaſe to be Commiſſioners, except *Bernard Andreas Woodſtock, Joſeph Armſtrong,* and *George Raxſted,* Eſqrs. Commiſſioners diſcontinued;

II. AND be it further enacted by the Authority aforeſaid, That they, the ſaid *Bernard Andreas Woodſtock, Joſeph Armſtrong,* and *George Raxſted,* together with *John Morſe,* Eſq; ſhall be Commiſſioners for putting the ſaid Act in Execution; and they, or either of them, ſhall exerciſe all the Rights, Juriſdictions, Powers, and Authorities, given by the before recited Act to the former Commiſſioners, or any Three of them. new ones appointed,

III. AND be it further enacted by the Authority aforeſaid, That all and every the former Commiſſioners and their Executors and Adminiſtrators, and all other Perſons whatſoever, in whoſe Hands any Money ſhall be and remain, belonging to or applicable to the ſaid Road, ſhall forthwith pay the ſame into the Hands of the

1750. said *Bernard Andreas Woodſtock*, *Joſeph Armſtrong*, *George Raxſted*, and *John Morſe*, or one of them.

who are impowered to recover Money, &c.

IV. And be it further enacted by the Authority aforeſaid, That the ſaid *Bernard Andreas Woodſtock*, *Joſeph Armſtrong*, *George Raxſted*, and *John Morſe*, or either of them, ſhall be, and they are hereby authorized to bring Actions for, and to recover in their, or either of their Names, either in Law or Equity, and to receive all and every Sum or Sums of Money belonging or applicable to the ſaid Road, and to give Acquittances upon receiving the ſame; and they, or either of them, are further hereby impowered to do all and every other Act and Acts, Thing and Things, which the Commiſſioners appointed in and by the ſaid recited Act, could or might lawfully do; any Law or Statute to the contrary notwithſtanding.

An Act to eſtabliſh the Credit of foreign Bills of Exchange, by compelling the Payment of Intereſt thereon after Judgment.

Act 172.

This Act revived, *anno* 1755.

WHEREAS the Trade and Credit of this Iſland hath ſuffered greatly by the too frequent Proteſts of foreign Bills of Exchange drawn in this Iſland, the Penalties by the former Laws of Re-exchange and Intereſt, until Judgment, not proving ſufficient, in regard the ſaid Bills, after Judgment, carry no Intereſt, although unpaid for ſeveral Years after: For Remedy whereof, may it pleaſe your moſt Excellent Majeſty, that it may be enacted; be it enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted and ordained by the Authority of the ſame, That in all

Proteſted Bills to bear Intereſt from the Firſt Day of Court, in which Judgment ſhall be obtained till paid, &c.

Caſes, whenever any Damages ſhall be aſſeſſed by a Jury, in any Action or Suit in any Court of Law in this Iſland, upon any foreign Bill or Bills of Exchange which ſhall hereafter be drawn in this Iſland, and be returned proteſted; the Court before whom ſuch Damages ſhall be aſſeſſed, ſhall, and they are hereby directed and required to give Judgment, that the Plaintiff or Plaintiffs in ſuch Actions, on the ſaid Bill or Bills of Exchange, recover of the Defendant or Defendants in ſuch Actions as well the Damages ſo to be aſſeſſed by the ſaid Jury, with Coſts of Suit, as alſo Intereſt upon the principal Sums for which ſuch Bill or Bills ſhall be given, from the firſt Day of the Court in which Judgment ſhall be obtained, until actual Payment thereof; and the Plaintiff, to whom ſuch Damages ſhall be aſſeſſed, and for whom ſuch Judgment ſhall be given, his Aſſignee, Attorney at Law, or Attorney, ſhall mark or indorſe on the Writ of Execution, or *Venditioni*, to be iſſued on ſuch Judgment, as well the ſtated Sum aſſeſſed by the Jury for Principal, Intereſt, Re-exchange, and Coſts, as alſo Intereſt on ſuch Sums for which ſuch Bills ſhall be given, from the firſt Day of the Court in which Judgment ſhall be obtained, to the Time of the actual Payment thereof; and the ſame ſhall be levied and paid by the Provoſt Marſhal, together with the ſtated Sum aſſeſſed for Damages by the ſaid Jury, as aforeſaid, to the Plaintiff or Plaintiffs, in ſuch Actions; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

II. And be it further enacted by the Authority aforeſaid, That this Act, and every Thing herein contained, ſhall be, remain, and continue in full Force, from the paſſing hereof, for and during, and unto the full End and Term of Three Years, and from thence to the End of the then next Seſſions of Aſſembly, and no longer.

An Act to make the Copies and Tranſcripts of Plots, Plot-Books, and other Records in the Office of the Clerk of the Patents, and Regiſter in Chancery, valid, legal, and effectual Records.

Act 173. WHEREAS many of the Plots, Plot-Books, and other Records in the Office of the Clerk of the Patents, and Regiſter in Chancery, are by Length of Time and long Uſage much decayed; and whereas the Clerk of the Patents, and Regiſter in Chancery hath, in purſuance of two Reſolutions of the Aſſembly,

the one of the Sixteenth Day of *May*, One thouſand ſeven hundred and forty-ſeven, and the other of the Third Day of *May*, One thouſand ſeven hundred and forty-nine, copied and tranſcribed many of the ſaid Plots, Plot-Books, and Records; and whereas it is neceſſary, that the ſaid Copies and Tranſcripts be made Records by Law: We therefore, your Majeſty's moſt dutiful and loyal Subjects, the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, do moſt humbly beſeech your Majeſty, that it may be enacted; and be it enacted by the Governor, Council, and Aſſembly of this Iſland, and it is hereby enacted by the Authority of the ſame, That all the ſaid Copies and Tranſcripts ſhall be deemed, and they are hereby declared to be valid, legal, and effectual Records, to all Intents and Purpoſes whatſoever, as the original Records themſelves were before the making of this Act. 1750. Tranſcripts of Plots, &c. deemed legal Records.

II. Provided nevertheleſs, That the ſaid Clerk of the Patents, and Regiſter in Chancery, ſhall make Affidavit before the Chief Juſtice for the Time being, or before any Judge of the Supreme Court of Judicature of this Iſland, (who are hereby impowered and required to take the ſame) that the ſaid ſeveral Copies and Tranſcripts have carefully been examined by him, and are true and exact Copies of their ſeveral Originals, before the ſaid Copies or Tranſcripts ſhall be as valid, legal, and effectual Records, as aforeſaid; which Affidavit the ſaid Clerk of the Patents, and Regiſter in Chancery, is hereby required to make and enter in each particular Book of Copies or Tranſcripts. Proviſo.

An Act for the admitting the Evidence of Slaves againſt Slaves, for Crimes by them committed on the High Seas.

Act 174.

WHEREAS the Commiſſioners nominated and appointed by virtue of an Act of Parliament paſſed in the Eleventh and Twelfth Years of the Reign of his late Majeſty King *William* the Third, entituled, *An Act for the more effectual Suppreſſion of Pyracy*, cannot admit of the Evidence of Slaves againſt Slaves, without Oath, by which Means it may happen, that many Murders, Robberies, Pyracies, and other Offences committed by Slaves on the High Seas, may go unpuniſhed: For Remedy whereof, we your Majeſty's moſt dutiful and loyal Subjects, the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, do moſt humbly beſeech your Majeſty that it may be enacted; be it therefore enacted and ordained by the Authority of the ſame, That when any Negroe, or other Slave or Slaves, ſhall be tried for any Murder, Robberies, Pyracies, or other Offences upon the High Seas, already committed, or hereafter to be committed, before the Commiſſioners nominated and appointed by virtue of the ſaid Act, it ſhall and may be lawful for the ſaid Commiſſioners, and they are hereby required and impowered to admit the Evidence of any Slave or Slaves, without Oath, againſt ſuch Slave or Slaves as ſhall be tried before them for any of the Offences aforeſaid; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding. Slaves to be admitted Evidences without Oath, &c.

II. Provided always, That nothing in this Act ſhall extend, or be conſtrued to extend, to Murders, Robberies, Pyracies, or other Offences, committed, or to be committed by Slaves in their Paſſage to this Iſland, as Merchandize, or from this Iſland to the *French* or *Spaniſh* Coaſts, during ſuch Time as ſuch Slaves ſhall continue as Merchandize only on board the Ship or Veſſel bringing or carrying ſuch Slaves reſpectively. Proviſo.

III. And be it further enacted and ordained by the Authority aforeſaid, That this Act, and every Thing herein contained, ſhall be and continue in full Force from the paſſing hereof, for and during the full End and Term of Twenty Years, and from thence to the End of the then next Seſſions of Aſſembly, and no longer.

An

1750.

An Act to encourage the Breed of good and large Horſes.

Act 175.

FORASMUCH as the Generation and Breed of good, ſtrong, and ſwift Horſes within this Iſland, extends not only to the great Help and Defence of the ſame, but alſo is of great Commodity and Profit to the Inhabitants thereof, which is now much decayed and diminiſhed, by reaſon that in Commons, *Savannahs*, and waſte Grounds within this Iſland, little ſtoned Horſes and Nags of very ſmall Stature, and of little Value, be not only ſuffered to paſture and feed thereon, but to cover and leap Mares feeding there, whereof cometh no Manner of Profit or Commodity: For Remedy whereof, and for the Increaſe of better, ſwifter, and ſtronger Horſes hereafter in this Iſland, we your Majeſty's moſt dutiful and loyal Subjects, the Aſſembly of this your Majeſty's Iſland of *Jamaica*, moſt humbly beſeech your Majeſty, that it may be enacted; be it therefore enacted by the Governor, Council, and Aſſembly of this your Majeſty's ſaid Iſland of *Jamaica*, and it is hereby enacted and ordained by the Authority of the ſame, That from and after the Twenty-ninth Day of *September*, which ſhall be in the Year of our Lord One thouſand ſeven hundred and fifty one, no Perſon or Perſons, upon any Pretence whatſoever, have, or put to paſture upon any Commons, *Savannahs*, and waſte Grounds within this Iſland, any ſtoned Horſe or Horſes above the Age of Three Years, and not being of the Altitude or Height of Thirteen Hands and two Inches, to be meaſured from the loweſt Part of the Hoof of the Fore-foot, to the higheſt Part of the Withers, and every Handful to contain four Inches of the Standard, to paſture or feed, or be in or upon any of the ſaid Commons, *Savannahs*, or waſte Grounds within this Iſland; nor ſhall put, feed, or paſture any ſtoned Horſe or Horſes, being above the Age of Three Years, and not being of the Altitude or Height of Thirteen Hands and three Inches, to be meaſured, as aforeſaid, within, or upon any of the like Grounds before mentioned, upon Pain or Forfeiture of the ſaid Horſe or Horſes which ſhall be turned in or upon any of the ſaid Grounds, Commons, *Savannahs*, or Waſtes, at any Time after the ſaid Twenty-ninth Day of *September*, which ſhall be in the Year of our Lord One thouſand ſeven hundred and fifty-one.

Horſes under 13 Hands 2 Inches high, not to be paſtured on any Common, &c.

II. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any Perſon or Perſons that ſhall find any ſuch Horſe or Horſes in or upon the ſaid Commons, *Savannahs*, or waſte Grounds, contrary to the true Intent and Meaning of this Act, to ſeize and take the ſaid Horſe or Horſes, and to carry the ſame before any one of his Majeſty's Juſtices of the Peace, for the Pariſh or Precinct where the ſame ſhall be found, to have the ſaid Horſe or Horſes meaſured, as aforeſaid; and if the ſaid Horſe or Horſes ſhall be found not to be of the Altitude or Height aforeſaid, then the ſaid Horſe or Horſes ſhall be forfeited to, and the Property thereof immediately veſted in, the Perſon or Perſons taking up the ſame; and ſhall be by the ſaid Juſtice delivered over to the ſaid Perſon or Perſons ſo ſeizing and taking up the ſame, unleſs the Owner or Proprietor of ſuch Horſe ſhall tender to the Party taking him up the Sum of Five Pounds, in which Caſe he ſhall be reſtored to the ſaid Proprietor; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Thoſe under Size, forfeited to the Perſon taking them up.

III. Provided always, and it is the true Intent and Meaning of this Act, That nothing herein before contained ſhall extend, or be conſtrued to extend, to any ſtoned Horſe or Horſes that ſhall happen to break, eſcape, or go out of any Paſture, Incloſure, Yard, or Stable, againſt the Will of the Owner or Poſſeſſor of any ſuch Horſe or Horſes, into any of the ſaid Commons, *Savannahs*, or waſte Grounds, ſo that ſuch Horſe or Horſes ſo breaking, eſcaping, or going out, do not remain or abide in any of the ſaid Commons, *Savannahs*, or waſte Grounds, for the Space of Three Months at any one Time.

Proviſo.

IV. And be it further enacted by the Authority aforeſaid, That no Perſon or Perſons, after the Twenty-ninth Day of *September* now next enſuing, ſhall have in or put to paſture any Horſe, Mare, or Gelding, or any Mule or Aſs, infected with Scab, Mange or Farcy, into or upon any of the ſaid Commons, *Savannahs*, or waſte Grounds, upon Pain or Forfeiture, for every Offence, the Sum of Five Pounds,

Penalty on putting to Paſture diſtempered Horſes, &c.

Pounds, to be recovered before any one of his Majeſty's Juſtices of the Peace for the Pariſh and Precinct where ſuch Offence ſhall be committed, to the Uſe of the Informer, to be levied by Diſtreſs and Sale of the Offenders Goods and Chattels, by Warrant directed to the Conſtable or Conſtables, under the Hand and Seal of the ſaid Juſtice; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. 1750.

V. And be it further enacted by the Authority aforeſaid, That any Maſter or Maſters of Ships, or other Veſſels, or any other Perſon or Perſons importing into this Iſland, from that Part of *Great Britain* called *England*, any good ſound Stone Horſe, or Mare, of the Altitude or Height of Fifteen Hands, to be meaſured as aforeſaid, and not exceeding the Age of Five Years, ſhall have and receive of and from the Receiver-General of this Iſland, a Bounty or Sum of Ten Pounds current Money of this Iſland, as an Encouragement for importing of every ſuch Horſe or Mare; which ſaid Bounty ſhall be allowed to the ſaid Receiver-General out of any Money in his Hands unappropriated. Bounty for importing large Horſes, &c.

VI. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons within this Iſland, hath or ſhall breed any Horſe or Mare, that is or ſhall be of the Altitude or Height of Fourteen Hands and a Half, at Three Years old, or under, and which is not yet of that Age, ſuch Perſon or Perſons ſhall have and receive the Sum of Ten Pounds, as a Reward for each of the ſaid Horſes or Mares, to be paid by the Receiver-General, upon producing a Certificate under the Hands and Seals of any Two of his Majeſty's Juſtices of the Peace; who are hereby impowered and required to cauſe the ſaid Horſes or Mares, upon ſufficient Proof before them made of the Breed and Age of the ſame, and that the Bounty by this Act given hath not been already allowed, to be meaſured, as aforeſaid; and to grant ſuch Certificates accordingly. And for breeding them.

VII. Provided, That ſuch Breed ſhall not proceed from any Horſe or Mare imported from *Ireland*, or from his Majeſty's Northern Colonies. Which ſaid Sums of Money, ſo to be paid by the Receiver-General, ſhall be allowed him out of any Monies in his Hands unappropriated. Proviſo.

VIII. And be it further enacted by the Authority aforeſaid, That the Receiver-General for the Time being ſhall, and he is hereby directed and required to furniſh and provide a Purſe of One hundred Piſtoles once every Year, and that the ſame ſhall be annually run for on the Firſt *Thurſday* in *November* in each Year, in or near *Spaniſh* Town *Savannah*, upon a Two Mile Courſe, the beſt of Three Heats, under ſuch Rules and Regulations as is uſually at Races in *Great Britain*, by any ſtoned Horſes, or Mares, carrying Ten Stone each, Fourteen Pounds to the Stone; and that no ſtoned Horſe, or Mare, ſhall be ſuffered to win more than one of the ſaid Purſes: Which ſaid Sum of One hundred Piſtoles ſhall annually be paid and allowed to the ſaid Receiver-General, out of any Money in his Hands unappropriated; and the Governor or Commander in Chief of this Iſland for the Time being, or ſuch Perſon as he ſhall appoint, ſhall be Judge of the ſaid Race. Purſe of 100 Piſtoles to be run for.

IX. And be it enacted by the Authority aforeſaid, That the Secretary of this Iſland cauſe this Act to be printed, and ſix Copies thereof to be delivered to each Member of the Council and Aſſembly, and ſix Copies to the *Cuſtos* or Chief Magiſtrate of each Pariſh in this Iſland, to be by them promulgated according to their beſt Diſcretions, the Charge whereof ſhall be paid him by the Receiver-General, out of any Money in his Hands unappropriated.

X. And be it enacted by the Authority aforeſaid, That this Act, and every Clauſe or Matter therein contained, ſhall be and continue in full Force and Virtue for the Term of Ten Years, from the paſſing hereof, and from thence to the End of the then next Seſſion of Aſſembly. This Act to be in Force 10 Years.

1750. *An Act to impower and oblige the Inhabitants of the Pariſh of St.* John *to mend and keep in Repair the Road from the Town of St.* Jago de la Vega, *through the* Savannah *to the Foot of the Red Hills leading to* Guanaboa *in the Pariſh of St.* John; *and to impower and oblige the Inhabitants of the Pariſh of St.* Thomas in the Vale *to mend and keep in Repair the Road from the Town of St.* Jago de la Vega, *through the* Savannah, *to a Place called the* Angels, *in the Pariſh of St.* Catherine, *leading to the ſaid Pariſh of St.* Thomas in the Vale; *and for impowering and obliging the Juſtices and Veſtry of the Pariſh of* Clarendon *to open and repair a Road of Communication from* George Maddox's *Plantation, near* Old Woman's Savannah *in the ſaid Pariſh of* Clarendon, *to the Vale of* Luidas *in the Pariſh of St.* John.

Act 176. WHEREAS the Road from the Town of St. *Jago de la Vega*, through the *Savannah*, to the Foot of the Red Hills leading to *Guanaboa*, is often in a ruinous and founderous Condition, ſo as to be impaſſable for the Carriage of Goods, and dangerous even to Paſſengers on Horſeback; and whereas the ſaid Road is in the Pariſh of St. *Catherine*; and whereas that Part of the Pariſh of St. *Catherine*, through which the ſaid Road leads, is not furniſhed with Negroes ſufficient to mend and repair the ſame: We therefore your Majeſty's moſt dutiful and loyal Subjects, the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, do moſt humbly beſeech your Majeſty, that it may be enacted; be it therefore enacted by the Authority aforeſaid, That the Inhabitants of the Pariſh of St. *John* be, and they are hereby authorized, impowered, obliged, and required hereafter to mend and keep in Repair the ſaid Road.

Pariſh of St. *John* to repair the Road from St. *Jago de la Vega.*

II. And be it further enacted by the Authority aforeſaid, That the Juſtices and Veſtry of the ſaid Pariſh of St. *John* ſhall appoint Surveyors of the Highways, and make Allotments of Negroes, Carts and Labour, and ſhall lay and levy Rates and Monies for the Amendment of the ſame.

III. And be it enacted by the Authority aforeſaid, That the ſaid Juſtices and Veſtry of the ſaid Pariſh, and the ſaid Surveyors or Way-wardens of the ſaid Road, ſo to be appointed, ſhall do every other lawful Act and Acts, Thing or Things, and ſhall have like Remedy and Juſtification for their and every of their Actions relating thereto, in as full and ample a Manner as if the ſaid Road was ſituate, lying, and being in the Pariſh of St. *John*.

IV. And whereas the Road from the Town of St. *Jago de la Vega*, through the *Savannah*, to a Place called the *Angels*, in the Pariſh of St. *Catherine*, leading to the ſaid Pariſh of St. *Thomas in the Vale*, is often in a ruinous and founderous Condition, ſo as to be impaſſable for the Carriage of Goods, and dangerous even to Paſſengers on Horſeback; and whereas the ſaid Road is in the Pariſh of St. *Catherine*; and whereas that Part of the Pariſh of St. *Catherine*, through which the ſaid Road leads, is not furniſhed with Negroes ſufficient to mend and keep in Repair the ſame: We therefore your Majeſty's moſt dutiful and loyal Subjects, the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, do moſt humbly beſeech your Majeſty that it may be enacted; be it therefore enacted by the Authority aforeſaid, That the Inhabitants of the Pariſh of St. *Thomas in the Vale* be, and they are hereby authorized, impowered, obliged, and required hereafter to amend and keep in Repair the ſaid Road.

Road to the *Angels* to be repaired by the Pariſh of St. *Thomas in the Vale.*

V. And be it further enacted by the Authority aforeſaid, That the Juſtices and Veſtry of the Pariſh of St. *Thomas in the Vale* ſhall appoint Surveyors of the Highways, and make Allotments of Negroes, Carts, and Labourers, and ſhall lay and levy Rates and Monies for the Amendment of the ſame.

VI. And be it enacted by the Authority aforeſaid, That the ſaid Juſtices and Veſtry of the ſaid Pariſh, and the ſaid Surveyors or Way-wardens of the ſaid Road, ſo

ſo to be appointed, ſhall do every other lawful Act and Acts, Thing and Things, and ſhall have like Remedy and Juſtification for their and every of their Actions relating thereto, and in as full and ample a Manner as if the ſaid Road was ſituate, lying, and being in the Pariſh of St. *Thomas in the Vale*. 1750.

Angel Pen to ſend a Proportion of Negroes, &c.

VII. AND be it further enacted by the Authority aforeſaid, That the Pen or Plantation, commonly called the *Angels*, in the Pariſh of St. *Catherine*, ſhall be obliged to ſend a proportionable Number of Negroes for the repairing the ſaid Road, agreeable to the Allotment that ſhall be made on the Negroes in the Pariſh of St. *Thomas in the Vale*; which Number of Negroes ſhall be allotted by the Juſtices and Veſtry of the Pariſh of St. *Thomas in the Vale*, and ſhall be ſent on the ſaid Road, under the Penalty on the Defaulters inflicted by *An Act for the High-ways*.

Clarendon Pariſh to open a Road to *Luidas*.

VIII. AND be it further enacted by the Authority aforeſaid, That the Juſtices and Veſtry of the Pariſh of *Clarendon* do, at their next annual Meeting for making Allotments of their Negroes for the ſeveral Roads in the ſaid Pariſh, and they are hereby impowered and obliged to make a proper Allotment, for opening and making a good and ſufficient Road of Communication from *George Maddox*'s Plantation, near *Old Woman's Savannah*, in the ſaid Pariſh of *Clarendon*, to the Vale of *Luidas*, in the Pariſh of St. *John*, under the Penalty of Twenty Pounds for each Magiſtrate, and Twenty Pounds for each Veſtry-man neglecting his Duty therein; to be recovered by Action of Debt, Bill, Plaint, or Information, in the Supreme Court of Judicature of this Iſland, wherein no Protection or Wager of Law ſhall be granted or allowed, or *Non vult ulterius proſequi* be entered; one Moiety whereof ſhall be to his Majeſty, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof, and the other Moiety to him, her, or them, who ſhall ſue for the ſame.

IX. AND be it enacted by the Authority aforeſaid, That the Secretary of this Iſland do cauſe Three Copies of this Act to be tranſcribed, Two Copies to be ſent to the *Cuſtos* of the Pariſhes of St. *Thomas in the Vale*, and St. *John*, and one Copy to the *Cuſtos* of *Clarendon*.

An Act for explaining, amending, and rendering more effectual an Act, entituled, An Act for ſettling the Militia. 1751.

ACT 177.

WHEREAS the Act entituled, *An Act for ſettling the Militia*, is found by Experience to be greatly defective, and by no Means adequate to the Service for which it was deſigned, whereby ſome further Regulations are neceſſary to reſtore it to its antient Diſcipline, on which the Honour and Service of his Majeſty, and the Preſervation of our Lives and Fortunes ſo greatly depend: May it pleaſe your moſt Excellent Majeſty, that it may be enacted; be it therefore enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted by the Authority of the ſame, That no Perſon whatſoever, from Fifteen to Sixty Years of Age, ſhall for the future remain unliſted under the Captains in their reſpective Places of Abode, in Foot or Horſe, the Space of Six Weeks, on the Penalty of Forty Shillings, to be levied by any Captain of any Regiment where ſuch Perſons ſhall reſide, by Warrant directed to the Marſhal of ſuch Regiment, or to any Serjeant or Corporal thereof, in caſe there ſhall be no Regimental Marſhal; and in caſe any Perſon remains unliſted for more than Six Weeks, he ſhall be placed by the Colonel, or Commanding Officer of the Regiment, in that Beat or Diviſion where ſuch Perſon ſhall reſide, and ſhall be deemed and taken to be a private Man of ſuch Company wherein he ſhall be ſo placed, and ſhall do Duty in the ſame Manner, and under the ſame Penalties as inliſted Men are by this or the forementioned Act obliged to do; and that no Perſon whatſoever ſhall be exempted from ſerving in the Militia as a private Man, except the Honourable the Members of the Council, and the Chief Juſtice for the Time being, or ſuch as have at any Time acted in thoſe Stations, and ſuch as bear or have born Military Command.

No Perſon from 15 to 60 to remain unliſted, &c.

II. AND

1751.

II. And whereas ſundry Officers who heretofore bore Commiſſions, but being ſince ſuperſeded and reformed, are not inrolled in any Regiment, and do no Military Duty; in order therefore that no Perſons be exempted from thoſe Services which every Man owes to his Prince and Country, be it further enacted by the Authority aforeſaid, That all and every ſuch Officer or Officers ſo reformed ſhall be, and they and every of them are hereby required, within the Space of Six Months from the paſſing of this Act, to ſend their Name or Names, and Places of Abode, as alſo their reſpective Ranks, unto the Governor, or Commander in Chief for the Time being; and they and every of them ſhall take ſuch Commiſſion or Commiſſions, in the Pariſh or Precinct where he or they ſhall or may reſide, as ſhall be tendered unto them, and ſhall inroll in the Regiment of ſuch Pariſh or Precinct where he or they reſide, on Pain of being degraded, and obliged to inliſt and ſerve as a private Man.

Regulation of Reformed Officers.

III. Provided nevertheleſs, That nothing herein be conſtrued to force or compel any Perſon, that hath been or ſhall be in Commiſſion in this Iſland, to liſt himſelf in any Company or Troop, or to ſerve in any Capacity beneath the former Commiſſion, unleſs ſuch Perſon hath been degraded by a Court-Marſhal.

Proviſo.

IV. Provided alſo, That all ſuch Officers now reformed or ſuperſeded, or which hereafter ſhall be ſo, who ſhall again receive Commiſſion, and be inrolled in any Corps of the Militia within this Iſland, by virtue of this Act, ſhall have Seniority, Rank, and Command, in the ſaid Corps in which they ſhall be placed, according to the Seniority, Rank, and Command they enjoyed by their former Commiſſions, when they were ſuperſeded.

Proviſo.

V. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Governor, or Commander in Chief of this Iſland, from Time to Time, to grant a Commiſſion to any Officer, not under the Degree of a Field-Officer, for the holding of General Courts-Marſhal within this Iſland; in which every Commiſſioned Officer, that thinks proper, ſhall have a Right to ſit and determine; in which Court-Marſhal all the Offences above-mentioned, and all other Offences in the ſaid before recited Act, and in this Act herein after ſpecified and directed to be tried by a Court-Marſhal, or a General Court-Marſhal, ſhall be tried and proceeded againſt in ſuch Manner as by the ſaid Act and by this Act ſhall be hereafter directed.

Governor to commiſſion Officers to hold Court-Marſhals.

VI. And be it further enacted and declared, That no General Courts-Marſhal, which ſhall have Power to ſit by virtue of this Act, ſhall conſiſt of a leſs Number than Seven; and that ſuch Courts-Marſhal ſhall have Power and Authority to adminiſter an Oath to any Witneſs, in order to the Examination on Trial of any of the Offences that ſhall come before them.

Not leſs than Seven to ſit.

VII. Provided always, That in all Trials of Offenders by General-Courts Marſhal to be held by virtue of this Act, every Officer preſent at ſuch Trial, before any Proceedings be had thereupon, ſhall take the following Oath upon the Holy Evangeliſts, before the Court and Judge-Advocate, who are hereby authorized to adminiſter the ſame, in theſe Words; that is to ſay,

Proviſo.

Officer's Oath.

You ſhall well and truly try and determine, without Partiality, Favour, or Affection, according to your Evidence in the Matter now before you, between our Sovereign Lord the King's Majeſty and the Offender to be tried.

So help you God.

And no Sentence ſhall be given againſt any Offender by any General Court-Marſhal, but by the Concurrence of the major Part of the Members ſo ſworn; and no Proceeding or Trial ſhall be had upon any Offence, but between the Hours of Eight of the Clock in the Morning and Three in the Afternoon.

Proviſo.

VIII. Provided alſo, That the Perſon to be tried by ſuch General Court-Marſhal ſhall have Fourteen Days Notice, at the leaſt, of the Day and Place of his Trial, and of the Offence for which he is to be tried; and in caſe ſuch Perſon having ſuch Notice, ſhall not appear at ſuch General Court-Marſhal, or ſhall not give a ſufficient Reaſon to the Satisfaction of the ſaid Court for his Abſence,

ſence, ſuch Perſon ſhall ſtand convicted of the Offence in the ſaid Notice contained; and ſuch Puniſhment ſhall be inflicted on him by the ſaid Court as if he had been tried and found guilty of the ſaid Offence. 1751.

Repeated Neglects of Duty, how puniſhed.

IX. And whereas the Fine appointed by the before recited Act, for Non-Appearance in Arms upon due Summons thereto, being low, ſeveral have taken Advantages thereof, and ſet their Officers at Defiance; be it therefore further enacted, That the Fine for the Second Neglect ſhall be doubled, if committed in Succeſſion after the Firſt Neglect without ſuch Offender having appeared in Arms; and for the Third Neglect, if committed after Two ſucceſſive Non-Appearances in Arms, the Offender ſhall pay ſuch a Fine as to a Court-Marſhal ſhall ſeem meet, not exceeding Ten Pounds; and for every Fourth, or more ſucceſſive Non-Appearances, ſuch Offender ſhall be fined at the Diſcretion of a Court-Marſhal, not exceeding Ten Pounds.

Companies to be exerciſed in the ſeveral Diviſions, &c.

X. And whereas the Companies of the ſeveral Regiments of this Iſland, except thoſe of *Kingston* and *Port Royal*, are ſome of them at great Diſtance one from the other, ſo that they cannot be aſſembled together in one Place without great Inconveniences; therefore be it enacted and ordained, That the Country throughout the Iſland be divided into as many Beats or Diviſions as there are or ſhall be Companies; and that ſeparate Places of Exerciſe be appointed for each Company (unleſs where more than one can conveniently meet together) as near as may be conveniently in the Center of its Beat or Diviſion.

Penalties on Officers abſenting.

XI. And whereas it is incumbent on the Officers to ſhew a good Example to the private Men; be it enacted, That every Officer of each Company or Troop, not having ſome reaſonable Excuſe for abſenting himſelf, to be approved of by a Court-Marſhal, that ſhall not be at the Place of Exerciſe at the Time appointed, ſhall forfeit as follows: A Captain, Five Pounds; a Lieutenant, Cornet, Enſign, or Quarter-Maſter, Three Pounds; a Serjeant or Corporal, Fifteen Shillings; to be levied by Warrant under the Hand and Seal of their reſpective Colonels, or Commanding Officers, to the Regimental Marſhal appointed by this Act: And whenever any General Muſter of the Regiment ſhall be ordered, each of the Field-Officers ſhall forfeit, for Non-Appearance, Ten Pounds; to be levied by Warrant from the Governor or Commander in Chief.

Troops to be reviewed;

XII. And be it further enacted, That the ſeveral Lieutenant-Colonels and Majors ſhall, from Time to Time, review the Troops or Companies of the Regiment whereunto they belong, according as they ſhall be commanded thereunto by the reſpective Colonels, under the Penalty of Five Pounds; to be levied by Warrant under the Hand and Seal of the Commanding Officer of the Regiment.

and to appear in Arms every Two Months:

XIII. And whereas by the before recited Act it is enacted, That once every Two Months, or oftner, as Occaſion ſhall require, and Command be given by the Commander in Chief, the ſeveral Companies and Troops ſhall meet at the next and moſt convenient Places, to be appointed by their reſpective Officers, to be then and there by them muſtered and exerciſed; but ſuch Meetings, every Two Months, having been neglected for Want of a Penalty being inflicted for ſuch Neglect; therefore be it enacted, That every Captain, or, in his Abſence, the Commanding Officer of each Troop or Company, ſhall order his Troop or Company to appear, and ſhall himſelf and all the other Officers appear at the Place of Exerciſe, once every Two Months at leaſt, and oftner, if ſo required by the Commander in Chief; and that he do make a Field Return of his Troop or Company to the Commanding Officer of the Regiment, within Twenty Days after ſuch Meeting, ſigned by himſelf and the other Commiſſion Officers preſent, ſpecifying the Number of the Men that ſhall appear, and the Names of the Abſentees, as likewiſe the Defaulters in Arms and Accoutrements, under the Penalty of Five Pounds, to be levied by Warrant under the Hand and Seal of the Commanding Officer of the Regiment; which ſaid Field Returns, or Copies thereof, ſhall be tranſmitted by the Commanding Officers of each Regiment to the Commander in Chief, once every Six Months, under the Penalty of Ten Pounds, to be levied by Warrant of the Governor or Commander in Chief.

1751. XIV. And be it further enacted, That no Corporal or private Soldier ſhall refuſe to act as a Serjeant, under the Penalty of Twenty Pounds, to be levied by the Sentence of a General Court-Marſhal.

Penalty of refuſing to act as a Serjeant.

XV. And be it further enacted, That a Marſhal ſhall be appointed to each Regiment by the Commanding Officer thereof; and the Fines and Forfeitures that were by the before recited Act to be levied by the Captain's Warrant to the Serjeant or Corporal, ſhall be levied by Warrant from the Captain or Commanding Officer of the Troop or Company to the Marſhal of the Regiment; but if no Marſhal ſhall have been appointed, then they may be levied as before, by the Serjeants or Corporal. The ſaid Marſhal ſhall be obliged to execute the Warrants to him directed, and to pay all ſuch Fines and Forfeitures as he ſhall have levied by virtue of the ſame, into the Hands of the Officer who iſſued the reſpective Warrants, within Fourteen Days after levying the ſame, deducting firſt Half a Crown in the Pound for collecting the ſame, under the Penalty of Ten Pounds, to be levied by Warrant under the Hand of the Colonel, or Commanding Officer of the Regiment, directed to any Serjeant or Corporal of the ſame Regiment.

Marſhals to be appointed.

XVI. And be it likewiſe enacted, That every Captain, or Commanding Officer of each Troop or Company ſhall, within Twenty Days after every Meeting of the Troop or Company, iſſue out his Warrant to the Regimental Marſhal, or to a Serjeant or Corporal, in caſe there ſhould be no Regimental Marſhal appointed, for levying the Fines and Forfeitures incurred by the Abſentees or Defaulters mentioned in his Field Return; and that no one be excuſed without ſhewing ſome ſufficient Cauſe to be allowed of by the Commanding Officer preſent; and that once every Six Months he do make a Return to the Commanding Officer of the Regiment of the Fines and Forfeitures he ſhall have received; and in caſe he has excuſed any Abſentee, he ſhall mention in his Return his Reaſon for ſo doing, under the Penalty of Five Pounds, to be levied by Warrant under the Hand and Seal of the Colonel, or Commanding Officer of the Regiment, to be directed to the Regimental Marſhal. And the Commanding Officers of the reſpective Regiments are hereby directed, once every Year, to tranſmit the Returns of the Fines and Forfeitures, as before ordered to be made to them, or Copies thereof, to the Commander in Chief of this Iſland, under the Penalty of Fifty Pounds; to be levied under the Hand of the Governor, or Commander in Chief for the Time being, directed to the Provoſt-Marſhal-General of this Iſland.

Penalties to be levied by Warrant, &c.

and a Return made thereof to the Commanding Officer.

XVII. And be it further enacted, That all the Sums that ſhall ariſe from the ſaid Fines and Forfeitures ſhall be paid by the Captains, or Perſons who ſhall have received the ſame from the Marſhal, into the Hands of the Commanding Officer of the Regiment; and they ſhall be a Fund for buying Drums, Trumpets, Colours, and Standards, and other Contingences of the Regiment: And an Account of the ſaid Fund, and how applied, ſhall be tranſmitted every Year by the Commanding Officer of each Regiment to the Commander in Chief, under the Penalty of Fifty Pounds, to be levied under the Hand of the Governor, or Commander in Chief for the Time being, directed to the Provoſt-Marſhal-General of this Iſland.

Fines to be a Fund for buying Drums, &c.

XVIII. And be it alſo enacted, That whatever Officer or Soldier, doing Duty in either of the Towns of St. *Jago de la Vega*, *Kingston*, or *Port Royal*, ſhall not appear armed and accoutred, as by the before recited Law is ordained, at the Place of Exerciſe or Rendezvous; if belonging to the Foot, within an Hour after beating the Drum; and if belonging to the Horſe, within an Hour after ſounding to Boot and Saddle, ſhall forfeit as for Non-Appearance.

Officers to appear an Hour after Drum beat.

XIX. And be it further enacted, That it ſhall not be in the Power of any private Man to go from the Horſe to the Foot, as he pleaſes, without Leave from his Commanding Officer, or ſhewing ſufficient Cauſe before a Court-Marſhal; but it ſhall be lawful for ſuch private Man to go from the Foot to the Horſe, whenever he ſhall be completely armed and accoutred, as by Law is directed.

Men not to go from the Horſe to the Foot, &c.

XX. And be it further enacted, That every Foot Soldier or Trooper ſhall ſerve in the Company or Troop of the Diviſion where he reſides, and not to be allowed to inliſt in any other.

XXI. And

1751.

XXI. And be it further enacted, That when any Officer removes, he ſhall be obliged to ſerve in the Diviſion whereto he removes, in the ſame Capacity he ſerved in the other Diviſion, notwithſtanding there ſhould be no Vacancy in that Company, Troop, or Regiment; in which Caſe he ſhall ſerve as a Double Officer, but in the ſame Seniority, Rank, and Command, he enjoyed by his former Commiſſion, in the Pariſh or Precinct from whence he removed. Officers to ſerve in the Diviſion whereto they remove.

XXII. And whereas it is the inherent Right of every Subject of the Crown of *Great Britain*, not to be forejudged of Life or Limb, or ſubjected in Time of Peace to any Kind of Puniſhment by Marſhal Law, or in any other Manner than by the Judgment of his Peers, and according to the known and eſtabliſhed Laws of *Great Britain*: And whereas the Security of this Iſland is more likely to ſtand aſſured by the Love and Affection of his Majeſty's Subjects towards his Perſon and Government, than in the Dread and Fear of Laws made with rigorous Pains and Puniſhments; be it therefore enacted by the Authority aforeſaid, That it ſhall not be lawful for any Court-Marſhal to ſentence or adjudge, for any Cauſe whatſoever, any of his Majeſty's Militia Forces of this Iſland in Life or Limb, or to inflict any corporal Puniſhment whatſoever. Court-Marſhals not to inflict corporal Puniſhment.

XXIII. Provided nevertheleſs, That if any Perſon ſhall obſtinately refuſe to pay the Fines and Forfeitures which he or they may incur, by virtue of this and the herein before recited Act, or ſhall neglect, contemn, or diſobey the lawful Command of his ſuperior Officer, he ſhall ſuffer for Non-Payment of his Fine an Impriſonment, at the Diſcretion of a Court-Marſhal, not exceeding Fourteen Days; and for neglecting, contemning, or diſobeying his Commanding Officer, ſuch Perſon ſhall, for every Offence, forfeit ſuch a Fine as to a General Court-Marſhall ſeem meet, not exceeding Twenty Pounds. Proviſo.

XXIV. And be it further enacted by the Authority aforeſaid, That all Fines and Forfeitures, in this or the ſaid recited Act mentioned, ſhall be levied by the Perſons to whom the Warrants for the levying the ſame ſhall be directed, by Diſtreſs and Sale of the Offenders Goods and Chattels. Fines levied by Diſtreſs;

XXV. And be it further enacted by the Authority aforeſaid, That all Fines and Forfeitures, herein directed to be levied by the Provoſt-Marſhal-General, ſhall be paid to his Majeſty's Receiver-General, to be by him applied to his Majeſty's Revenue of this Iſland. how to be diſpoſed of.

XXVI. And be it further enacted by the Authority aforeſaid, That all Fines, laid by a General Court-Marſhal, ſhall be levied by Warrant under the Hand of the Preſident of ſuch Court-Marſhal, directed to the Marſhal of the Regiment to which ſuch Offender ſhall belong; or by a Serjeant or Corporal of the ſaid Regiment, in Default of ſuch Regimental Marſhal.

XXVII. And be it further enacted, If any Perſon whatſoever ſhall be ſued for any Thing lawfully commanded, or done in Execution and Purſuance of this Act, or the before recited Act, he ſhall plead the General Iſſue, and give the Special Matter in Evidence; and if a Verdict be found for the Defendant, or the Plaintiff be Non-ſuited in any Action or Suit ſo to be commenced, ſuch Defendant ſhall not only have the common Coſts of Suit, but alſo all ſuch Sums of Money ſhall be allowed and taxed, as Coſts of Increaſe to ſuch Defendant, by the proper Officer, as ſuch Defendant ſhall have expended out of Purſe, laid out, been at, put to, or ſuſtained in and about the Defence of ſuch Suit; any Law, Cuſtom, or Uſage to the contrary notwithſtanding. Perſons ſued on this Act, to plead the General Iſſue.

XXVIII. And be it further enacted by the Authority aforeſaid, That the Secretary of this Iſland do cauſe this Act to be printed, and Twelve Copies thereof to be delivered to the Governor, and to each of the Members of the Council and Aſſembly, and Twenty Copies tranſmitted to each Colonel or Commanding Officer of the ſeveral Regiments in this Iſland, to be by them made publick at their Diſcretion; the Charges whereof ſhall be paid by the Honourable *Benjamin Hume*, Eſq; Commiſſioner, or the Commiſſioner for the Time being, out of any Money unappropriated in his Hands.

XXIX. And be it further enacted by the Authority aforeſaid, That this Act, and every Clauſe and Thing therein contained, ſhall continue and be in Force, from the paſſing hereof, for the Term of Four Years and no longer; any Law, Cuſtom or Uſage to the contrary thereof notwithſtanding.

1751. *An Act for the better Order and Government of the Negroes belonging to the ſeveral Negroe Towns; and for preventing them from purchaſing of Slaves.*

Act 178. WHEREAS Diſorders frequently happen in the ſeveral Negroe Towns, for Want of Authority in the Chiefs or Commanding Officers of the Negroes to keep a proper Command over the reſt; and becauſe the White Men who reſide amongſt them are not veſted with legal Power to puniſh them; and it being neceſſary for the retaining thoſe Negroes in their Duty and Obedience, that an exact Diſcipline be obſerved, that all Diſorders, Tumults, and Diſturbance amongſt them be ſuppreſſed on their firſt Appearances, and the Authors and Abetters of them brought to ſpeedy Puniſhment; we your Majeſty's moſt dutiful and loyal Subjects, the Aſſembly of this your Majeſty's Iſland of *Jamaica*, do moſt humbly beſeech your Majeſty that it may be enacted; be it therefore enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted by the Authority of the ſame, That from and after the paſſing of this Act, every Negroe being reſident in, or belonging to any of the Negroe Towns, who ſhall diſobey his Excellency the Governor's Orders, or excite others to do the ſame; or ſhall excite, cauſe, or join in any Diſorder, Tumult, or Diſturbance, tending to break the Peace and good Order of the ſaid Towns, or any of them, ſhall ſuffer ſuch Puniſhment as ſhall be inflicted by the White Men reſiding in the Town to which the Offender belongs, and Four of the Negroes of the ſaid Town, of which the Chief or Commanding Officer ſhall be one, not extending to Life.

Wild Negroes to be puniſhed for Diſobedience, &c.

II. And be it further enacted and declared, That his Excellency the Governor, or Commander in Chief for the Time being, may, by virtue of this Act, have full Power and Authority to grant Commiſſions to the White Men and Negroes reſiding in or belonging to each of the Negroe Towns, for trying and puniſhing ſuch Offenders, as aforeſaid.

Governor may grant Commiſſions for trying them.

III. Provided always, and it is hereby enacted, That it ſhall and may be lawful for the Juſtices and Freeholders to try, as Free Negroes uſually were tried and puniſhed before the paſſing of an Act, entituled, *An Act for making Free Negroes*, Indians, *and Mulattoes, Evidences in all Cauſes againſt one another in all Courts of this Iſland*, paſſed the Thirteenth Day of *Auguſt*, in the Year of our Lord One thouſand ſeven hundred and forty-eight, the Negroes belonging to the ſaid Negroe Towns, for the Crimes or Offences herein before mentioned, and for all other Crimes and Offences whatſoever; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Proviſo.

IV. Provided alſo, That if any of the Negroes, as aforeſaid, ſhall, by Two Juſtices and Three Freeholders, or by the White Men and Negroes commiſſioned, as aforeſaid, be tried and acquitted, or convicted of any of the Crimes or Offences aforeſaid, ſuch Acquittal or Conviction ſhall be a full Bar to any Proceedings for the ſame Offence.

Proviſo.

V. And whereas ſeveral of the Negroes belonging to *Trelawny* and *Crawford Town*, and the other Negroe Towns, have frequently left their ſeveral Towns, and continued abſent therefrom a conſiderable Time without the Leave of their Commanding-Officer, or, having had ſuch Leave, have not returned back by the Time preſcribed to them, but have rambled about in the ſeveral Pariſhes of this Iſland, and been harboured and concealed in divers Places, whereby they have had Opportunities of going among Slaves of the neighbouring Plantations, creating Factions and Diſputes among ſome, and perſuading and enticing others to run away from the Owners, contrary to the Articles upon which they ſurrendered; which Practices, if not timely prevented, will not only leſſen the Authority of Colonel *Cudjoe* and Captain *Quaw*, and ſuch others as ſhall by the Governor of this Iſland be appointed to command them, but may be attended with other ill Conſequences: For Prevention of which be it enacted and ordained by the Authority

thority aforeſaid, That from and after the paſſing of this Act, every Negroe, belonging to any of the Negroe Towns aforeſaid, who ſhall abſent him or herſelf from the Town to which he or ſhe belongs, without Leave of the Commanding-Officer thereof, ſignified in Writing under the Hand of the White Perſon reſiding among them; or who, having had Leave, ſhall continue abſent therefrom for the Space of Seven Days after the Expiration of ſuch Leave, ſhall, upon Complaint made to any Magiſtrate of the Pariſh where he or ſhe happens to be at that Time, be committed to the Marſhal of the Precinct, to be by him ſent to the Gaol of St. *Jago de la Vega*, in order to be brought to Trial in the ſaid Town for ſuch Offence, before Two Juſtices and Three Freeholders, in the ſame Form and Manner as Free Negroes uſually were tried before the paſſing of the ſaid herein before mentioned Act; and upon Conviction of the Crime aforeſaid, the Juſtices and Freeholders, or the major Part of them, of which One to be a Juſtice of the Peace, are hereby obliged and required to deprive the ſaid Offender of his Freedom, and order him or her to be tranſported off this Iſland by the Receiver-General, and ſold; and the Money ariſing from ſuch Tranſportation and Sale to be to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the acting Juſtices, upon every ſuch Trial, ſhall forthwith certify the Sentence paſſed upon the ſaid Negroes to the Governor or Commander in Chief of this Iſland, and the ſame ſhall not be executed without his particular Direction under his Hand and Seal. 1751.

Negroes abſenting from the Negroe Towns, without Leave, to be tried, &c.

Upon Conviction, to be tranſported.

VI. And be it further enacted by the Authority aforeſaid, That every Free Negroe, belonging to either of the Towns aforeſaid, who ſhall entice or endeavour to entice and perſuade any Slave or Slaves to run away from their ſeveral and reſpective Owners, and be thereof duly convicted, in Manner and Form as aforeſaid, ſhall forfeit his or her Freedom, and be tranſported off this Iſland, as aforeſaid, and ſold; and the Money ariſing from ſuch Tranſportation and Sale ſhall be to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

As likewiſe for enticing Slaves to run away, &c.

VII. And whereas ſome of the Negroes lately in Rebellion have purchaſed Slaves, and it is apprehended that more may be by them bought, which may be of ill Conſequence to the Iſland, if not prevented; be it therefore enacted by the Authority aforeſaid, That no Negroe, belonging to any of the Negroe Towns, ſhall purchaſe or buy any Slave whatſoever, under the Penalty of forfeiting the ſaid Slave to his Majeſty; and if any Merchant, Factor, or other Perſon whatſoever, ſhall ſell any Slave or Slaves to any of the ſaid Negroes, or to any other Perſon in Truſt for or to the Uſe of the aforeſaid Negroes, every ſuch Merchant, Factor, or other Perſon, ſhall, for every Negroe ſo ſold, forfeit the Sum of One hundred Pounds; and every Perſon who ſhall purchaſe or be concerned in the Purchaſe of any Slave in Truſt for any of the ſaid Negroes, belonging to the ſaid Towns, ſhall forfeit the like Sum of One hundred Pounds; which ſaid Penalties, and each of them, ſhall be recovered in the Supreme Court of Judicature of this Iſland, by Action of Debt, Bill, Plaint, or Information; wherein no Eſſoin, Protection, Wager of Law, or Injunction, ſhall be granted or allowed, or *Non vult ulterius proſequi* be entered; and one Moiety thereof ſhall be to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof, and the other Moiety thereof to the Informer, or to him or them who ſhall ſue for the ſame; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Penalty on the wild Negroes purchaſing Slaves;

and on Perſons ſelling them Slaves.

VIII. And be it further enacted, That this Act ſhall continue and be in Force from the Thirteenth Day of *May*, which ſhall be in the Year of our Lord One thouſand ſeven hundred and fifty-two, for the Space of Three Years, and no longer; and that the Secretary of this Iſland do cauſe this Act to be printed or tranſcribed, and Copies thereof to be ſent forthwith to the *Cuſtos* or chief Magiſtrate in each Pariſh, to be by him diſtributed among the Magiſtrates of the ſaid Pariſh; and that the ſaid Act be read quarterly in the Veſtry, and at each Quarter

1751. Seſſions; and that a Copy thereof be ſent to the White Men in each of the Negroe Towns, by them to be read and explained to the Negroes once in every Three Months.

An Act for the better regulating of the Probate of Deeds and Conveyances, and Letters of Attorney executed off this Iſland.

Act 179. WHEREAS Doubts have ariſen concerning the Probate or Acknowledgment of Letters of Attorney before the Mayor or other chief Magiſtrate of any City, Borough, or Town Corporate in *Great Britain*, by One or more Witneſſes ſubſcribing or the Party acknowledging the ſame, whether ſuch Letters of Attorney, ſo proved as aforeſaid, is or may be ſufficient to authoriſe the Perſon or Perſons nominated and appointed in and by ſuch Letters of Attorney, to commence and proſecute any Action or Suit in any of the Courts of Law or Equity in this Iſland, in the Name of the Party executing ſuch Letter of Attorney, or to do any other Act in Purſuance thereof: And whereas Doubts may alſo riſe concerning the Probate of Deeds and Conveyances made off this Iſland, whether the Probate of ſuch Deeds or Conveyances, by the Oath of One of the ſubſcribing Witneſſes, or by the Acknowledgment of the Party, before the Mayor or other chief Magiſtrate of any City, Borough, or Town Corporate in *Great Britain*, and certified under the Common Seal of the ſame, are good and effectual in the Law: And whereas there hath not been a ſufficient Proviſion made for the Probate of Deeds, Conveyances, or Letters of Attorney, in the Kingdom of *Ireland*, or in any of his Majeſty's Colonies in *America*: To remedy the aforeſaid Inconveniences, be it enacted by the Governor, Council, and Aſſembly of this Iſland; and it is hereby enacted and ordained by the Authority of the ſame,

Deeds, &c. executed and proved in *Great Britain*, valid.

That all Deeds, Conveyances, and Letters of Attorney whatſoever, which have been or ſhall be hereafter executed in *Great Britain*, and proved by the ſubſcribing Witneſs or Witneſſes, or acknowledged by the Party, before the Mayor or other Chief Magiſtrate of any City, Borough, or Town Corporate in *Great Britain*, and certified under the Common Seal of ſuch City, Borough, or Town Corporate, ſhall be as good and effectual in the Law, to all Intents and Purpoſes whatſoever, as if ſuch Deeds, Conveyances, or Letters of Attorney had been reſpectively proved by the Witneſs or Witneſſes ſubſcribing the ſame, or had been acknowledged by the Party, before a Judge of any Court of Common Pleas in this Iſland; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

II. And be it further enacted by the Authority aforeſaid, That all Deeds, Conveyances, and Letters of Attorney whatſoever, which have been or ſhall be

Alſo in *Ireland* and the *American* Colonies.

hereafter executed in the Kingdom of *Ireland*, or in any of his Majeſty's Colonies in *America*, and which have been or ſhall be hereafter proved by the ſubſcribing Witneſs or Witneſſes, or acknowledged by the Party, before any Mayor or other Chief Magiſtrate of any City, Borough, or Town Corporate in the ſaid Kingdom of *Ireland*, or before the Governor or Commander in Chief of any of his Majeſty's Colonies in *America*, and certified under the Common Seal of ſuch City, Borough, or Town Corporate in the ſaid Kingdom of *Ireland*, or under the Seal of his Majeſty's Colonies, where the ſaid Deeds, Conveyances, and Letters of Attorney have been or ſhall be reſpectively executed, ſhall, and the ſame are hereby declared to be as good and effectual in the Law for the Purpoſes for which the ſame were, are, or ſhall be intended, as if ſuch Deeds, Conveyances, and Letters of Attorney had been reſpectively proved by the ſubſcribing Witneſs or Witneſſes, or acknowledged by the Party, before a Judge of any Court of Common Pleas in this Iſland; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

III. And be it further enacted by the Authority aforeſaid, That the Secretary of this Iſland do cauſe this Act forthwith to be printed, and Twelve Copies thereof to be ſent to his Excellency the Governor, and to each of the Members of the Council and Aſſembly; the Charges whereof ſhall be paid by the Receiver-General out of any Money in his Hands unappropriated.

An

An Act for the Sale of Flour by Weight.

1751.

Act 180.

WHEREAS great Inconveniency hath ariſen by the Uncertainty of ſelling of Flour by the Caſk or Barrel, and not by Weight: For Remedy whereof, we, your Majeſty's moſt dutiful and loyal Subjects, the Aſſembly of this your Majeſty's ſaid Iſland of *Jamaica*, moſt humbly beſeech your Majeſty that it may be enacted; be it therefore enacted by the Governor, Council, and Aſſembly of this your ſaid Majeſty's Iſland of *Jamaica*, and it is hereby enacted and ordained by the Authority of the ſame, That from and after the Firſt Day of *June*, which ſhall be in the Year of our Lord One thouſand ſeven hundred and fifty-two, no Flour made of Wheat or other Grain, or of Wheat mixed with other Grain, ſhall be ſold by the Barrel or Caſk, or in any other Manner than by Avoirdupoiſe-Weight only; and if any Seller of ſuch Flour ſhall ſell the ſame, or if any Buyer thereof ſhall buy the ſame, contrary to the true Intent and Meaning hereof, ſuch Seller and Buyer ſhall, for every Offence, forfeit Three-Pence for every Pound of ſuch Flour ſo ſold or bought; to be recovered in a Summary Manner, before One Juſtice of the Peace, by the Oath of One or more credible Witneſſes, or the Confeſſion of the Parties; one Half of which Forfeitures ſhall go to the Poor of the Pariſh wherein ſuch Offence ſhall be committed, and the other Moiety thereof ſhall be to the Informer, or him or them who ſhall proſecute for the ſame.

Penalty on buying or ſelling Flour but by Weight.

II. And be it enacted by the Authority aforeſaid, That this Act, and every thing therein contained, ſhall continue and be in Force from the paſſing hereof for and during the Term of Three Years, and from thence to the End of the then next Seſſions of Aſſembly, and no longer; any thing herein contained to the contrary notwithſtanding.

III. And be it enacted by the Authority aforeſaid, That this Act ſhall be printed, and Twelve Copies thereof be delivered to his Excellency the Governor, and to each of the Members of the Honourable the Council, and to each of the Members of the Aſſembly; to be by them made publick at their Diſcretion: The Charges of which Copies ſhall be paid by the Receiver-General out of any Money in his Hands unappropriated.

An Act to impower the Juſtices and Veſtry of the Pariſh of St. Thomas in the Eaſt *to allot Negroes for making a Road from the Sea to the Bath.*

Act 181.

WHEREAS it has been found impracticable to make a good Road to the Bath of St. *Thomas the Apoſtle* from *Carditts* at *Port Morant* in the Pariſh of St. *Thomas in the Eaſt*, purſuant to the Directions of an Act, entituled, *An Act for rendering the Bath in the Pariſh of St.* Thomas in the Eaſt *more ſerviceable*; and as an eaſy Acceſs to the Bath by a good Road, will greatly contribute to render the ſame more uſeful to the Inhabitants of this Iſland; we your Majeſty's moſt dutiful and loyal Subjects, the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, humbly beſeech your Majeſty that it may be enacted; be it enacted by the Governor, Council, and Aſſembly of this Iſland, and it is hereby enacted by the Authority of the ſame, That the Commiſſioners of the Bath, or any Two of them, be obliged and required, within Sixty Days after the paſſing of this Act, to apply to ſome Magiſtrate in the ſaid Pariſh of St. *Thomas in the Eaſt* for a Warrant to lay out the moſt convenient Road from the Bath to the Sea; and ſuch Magiſtrate ſo applied to is hereby obliged and required to iſſue ſuch Warrant, and to proceed in the laying out ſuch Road, after the Manner preſcribed for laying out Roads, by an Act, entituled, *An Act for the Highways.*

Road to be laid out from the Bath to the Sea.

II. And be it further enacted by the Authority aforeſaid, That the Juſtices and Veſtry of the ſaid Pariſh of St. *Thomas in the Eaſt* do, and they are hereby obliged and required, within Thirty Days after ſuch Road ſhall be laid out, to make an

1751. an Allotment of Negroes, Carts, and Labour, on all the Inhabitants of the ſaid Pariſh, for the making and opening ſuch Road, under the Direction and Care of *William Hicks*, *Peter Valette*, and *William Gordon*, Eſqrs. or either of them.

Pariſh of St. *Thomas in the Eaſt* to keep it in Repair.

III. And be it further enacted by the Authority aforeſaid, That the Inhabitants of the Pariſh of St. *Thomas in the Eaſt* be, and they are hereby authoriſed, impowered, obliged, and required, hereafter to amend and keep in Repair the Road ſo laid out as aforeſaid; and that the Juſtices and Veſtry of the ſaid Pariſh ſhall appoint Way-wardens of the ſaid Road, and make Allotments of Negroes, Carts, and Labour, and ſhall lay and levy Rates and Monies for the Amendment of the ſame, on the ſame Days and Times that they are required to do the ſame for the other Roads in the ſaid Pariſh.

IV. And be it further enacted by the Authority aforeſaid, That the ſaid Juſtices and Veſtry of the ſaid Pariſh, and Surveyors and Way-wardens of the ſaid Road, ſhall do every other lawful Act or Acts, Thing or Things; and ſhall have like Remedy and Juſtification for their and every of their Actions relating thereto, in the ſame Manner as they could do, or might have in any Caſe relating to any of the Roads in the ſame Pariſh.

Penalty on Juſtices, &c. not doing their Duty.

V. And be it enacted by the Authority aforeſaid, That in caſe any Magiſtrate, Juſtice, or Veſtryman, ſhall neglect to do his or their Duty, in any or either of the Particulars herein before-mentioned, he or they ſo offending, ſhall, for every Offence, forfeit the Sum of One hundred Pounds; to be recovered in the Supreme Court of Judicature of this Iſland, by Action of Debt, Bill, Plaint, or Information; one Half whereof to be to our Sovereign Lord the King, his Heirs and Succeſſors, to be applied to and for the making and repairing the Road herein before-mentioned; and the other Moiety, or half Part, to him, her, or them, that ſhall ſue for the ſame.

An Act to explain and amend Part of an Act, entituled, An Act for the more effectual directing the Marſhal's Proceedings, and regulating thereof.

Act 182. WHEREAS, by an Act of this Iſland, entituled, *An Act for the more effectual directing the Marſhal's Proceedings, and regulating thereof,* paſſed in the Year of our Lord One thouſand ſeven hundred and thirty-five, it is among other Things therein enacted, That from and after the paſſing of that Act, the Provoſt-Marſhal ſhall not execute, or take into his Office, or ſuffer to be lodged there, any Writ of Execution, or *Venditioni exponas*, unleſs the Sum really due to the Plaintiff, at whoſe Suit ſuch Writ ſhall iſſue, ſhall be marked or indorſed on the ſaid Writ by the ſaid Plaintiff, or his Clerk in Court, or Attorney; any Law, Cuſtom or Uſage to the contrary in any wiſe notwithſtanding: *And in caſe any Plantiff, in order to diſtreſs the Defendant, ſhall mark or indorſe, or order his ſaid Clerk in Court, or Attorney, to mark or indorſe; or the ſaid Clerk in Court, or Attorney himſelf, ſhall officiouſly, or without any Orders from the Plantiff, mark or indorſe ſuch Writ for a greater Sum than is or ſhall be really due; that ſuch Plaintiff, or his ſaid Clerk in Court, or Attorney, ſhall for every Offence reſpectively forfeit the Sum of One hundred Pounds; and the ſaid Clerk in Court, or Attorney, offending as aforeſaid, ſhall be rendered incapable of Practiſing; any Law, Cuſtom or Uſage to the contrary notwithſtanding, as by the ſaid Act above recited may at large appear: And whereas the ſaid herein recited Part of the ſaid Act hath been found inconvenient; for Remedy whereof, we your Majeſty's moſt dutiful and loyal Subjects, the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, moſt humbly beſeech your Majeſty that it may be enacted; be it enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted and declared by the Authority of the ſame, That all and every Writ or Writs of Execution, and *Venditioni exponas*, ſhall, from and after the paſſing of this Act, be marked and indorſed by the Plaintiff or Plaintiffs, in the ſaid Writ or Writs, or his Aſſignee or Aſſignees, or the Attorney or Attornies of ſuch Plaintiff or Plaintiffs,

Vide Act 105. Cl. XII, XIII.

Writs how to be endorſed.

Plaintiffs, Aſſignee or Aſſignees (whoſe Power is recorded in the Secretary's Office) or by the Executor or Executors, Adminiſtrator or Adminiſtrators, or other legal Repreſentative of ſuch Plaintiff or Plaintiffs, Aſſignee or Aſſignees, or one of them reſpectively, or the Attorney at Law of the herein before-mentioned Parties reſpectively, by Warrant or Order in Writing of the ſaid Parties; and in caſe ſuch Writ or Writs ſhall be marked or indorſed, with an Intent to diſtreſs the Defendant for a greater Sum than what is or ſhall be really due upon every ſuch Writ or Writs, the Perſon or Perſons ſo offending ſhall reſpectively forfeit, for every Offence, the Sum of One hundred Pounds; and in caſe the Perſon ſo offending be an Attorney at Law, ſuch Perſon ſhall, over and above the Penalty herein before inflicted, be further liable to be diſcharged from practiſing in any of the Courts of this Iſland, if the Judges of the Court before whom ſuch Perſon ſhall be convicted, ſhall, from the Circumſtances of the Caſe, think proper; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding. 1751.

Penalty on Attornies, &c. marking Writs for more than due.

II. And be it alſo enacted by the Authority aforeſaid, That the Provoſt-Marſhal ſhall not execute, or ſuffer to be lodged in his Office, any of the aforeſaid Writ or Writs, unleſs the ſame be firſt marked and indorſed, as aforeſaid, on Pain of forfeiting the Sum of One hundred Pounds for every ſuch Offence; one Moiety of which ſaid ſeveral Penalties and Forfeitures ſhall be to the Party or Parties injured, who ſhall ſue for the ſame; and the other Moiety to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; to be recovered by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoin, Wager of Law, Injunction, or *Non vult ulterius proſequi*, ſhall be granted or allowed; any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding.

Provoſt Marſhal not to execute Writs till endorſed.

III. And be it enacted by the Authority aforeſaid, That the Secretary of this Iſland cauſe this Act to be printed, and four Copies thereof delivered to his Excellency the Governor, and each of the Members of the Council and preſent Aſſembly; the Charges whereof ſhall be paid him by the Receiver-General, out of any Money in his Hands unappropriated.

An Act to explain Part of an Act, entituled, An Act for the better Order and Government of Slaves; *and for inflicting further and other Puniſhment on Perſons killing Negroes or Slaves.*

Act 183.

WHEREAS by a Law paſſed in the Year of our Lord One thouſand ſix hundred and ninety-ſix, entituled, *An Act for the bettter Order and Government of Slaves*, it is therein enacted, That if any Perſon or Perſons ſhall wittingly, wantonly, or bloody-mindedly kill a Negroe or Slave, he, ſhe, or they, ſo offending, being thereof convicted by Verdict or Confeſſion in the Supreme Court of Judicature, ſhall be adjudged guilty of Felony for the Firſt Offence, and have the Benefit of Clergy; but the Second Offence ſhall be deemed Murder, and the Offender ſuffer for the ſaid Crime according to the Laws of *England*, Forfeitures of Lands, Tenements, Goods, and Chattels, only excepted; which recited Part of the ſaid Law not having been found ſufficient to deter Perſons from committing ſuch wicked and inhuman Practices: And whereas the ſaid recited Part of the ſaid Law is of doubtful Conſtruction; for explaining the ſaid Law, and for inflicting ſome further Puniſhment on the Offenders, be it enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted by the Authority of the ſame, That from and after the paſſing of this Act, if any Perſon whatſoever ſhall wittingly, wantonly, or bloody-mindedly kill any Negroe or Slave, ſuch Perſon or Perſons ſo offending ſhall, for the firſt Offence, be guilty of Felony, and have the Benefit of the Clergy; and ſhall ſuffer, as a further Puniſhment, an Impriſonment for ſuch Time as the Court, before whom ſuch Offender ſhall be tried, ſhall adjudge, not exceeding Twelve Months.

Killing Slaves, Felony, &c.

II. And be it further enacted by the Authority aforeſaid, That ſuch Perſon being convicted of Felony for killing a Slave, if ſuch Slave belong to any Perſon,

1751.

ſon other than the Perſon convicted of ſuch Felony, ſuch Perſon ſo convicted ſhall pay the Sum of Sixty Pounds to the Owner to whom ſuch Slave ſo killed did belong; to be recovered by Action of Debt.

60 *l.* to be paid to the Owner.

III. And be it further enacted by the Authority aforeſaid, That if any Perſon, after Conviction for the firſt Offence herein before-mentioned, ſhall wantonly, willingly, or bloody-mindedly, kill any Negroe, or Slave, ſuch Perſon ſo offending, after ſuch firſt Conviction, ſhall ſuffer Death for the ſaid Offence, and not otherwiſe.

Second Murder, Death.

Proviſo.

IV. Provided always, That the Convictions in this Act mentioned ſhall not extend to the corrupting the Blood, or the Forfeiture of Lands or Tenements, Goods, or Chattels; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

V. And be it further enacted by the Authority aforeſaid, That the Secretary of this Iſland do cauſe this Act forthwith to be printed, and Three Copies thereof to be delivered to his Excellency the Governor, and to each of the Members of the Council and the preſent Aſſembly; the Charges whereof ſhall be paid to him by the Commiſſioner, or the Commiſſioner for the Time being, out of any Money in his Hands unappropriated.

An Act for making good and wholeſome Proviſions, for raiſing and eſtabliſhing the Credit of this Iſland; and repealing of an Act, entituled, A ſupplemental and explanatory Act.

Act 184. WHEREAS the Welfare and Proſperity of this Iſland and the further Settling thereof depends greatly upon the Credit, and the enabling Perſons to borrow Money on eaſy Premiums for Forbearance: And whereas nothing can be more agreeable to Juſtice, and the Policy of all wiſe Governments, than providing the fair and honeſt Creditor a ſafe, eaſy, and ſpeedy Remedy for recovering his Money, and diſcouraging all frivolous, vexatious, and dilatory Proceedings and Oppoſition, in Prejudice to ſuch Creditors: And whereas it cannot be doubted, but that many Perſons would be induced, inſtead of placing their Monies at a low Intereſt in *Great Britain*, to lend out the ſame on good Securities in this Iſland, but have been deterred by unjuſt Advantages being taken, and by the Law now in being, compelling Perſons to take Sugar, and other Produce of this Iſland, at *Port Royal*, in Payment and Satisfaction of Debts, upon a Valuation often made without due Reſpect and Regard to the Prices thoſe Commodities bore in *Great Britain*, to the manifeſt Loſs and Injury of ſuch Creditors: And whereas all Methods of Payment, except in Money of a known and fixed Value, are falſe, dangerous, and deſtructive of Credit: And whereas it hath been found by Experience, that Men of diſtinguiſhed Character and Fortune do often borrow Money, in this Iſland, at an Intereſt of Five *per Cent.* only (from whence it is evident the natural Intereſt of Money is no more) when other Perſons of large and ſufficient Property to entitle them to ſuch Loans, and under the ſame Laws, have not been able to borrow any Money at all, and therefore have been unable to carry on or improve, and obliged to give up their Plantations, to the manifeſt Loſs of the Publick; when, in our Mother Country, little Reſpect to Perſons is ever made by the Money-Lender, ſo as the Security is equal: And whereas the obliging all Men to a Compliance with their Contracts, and a punctual Payment of their juſt Debts, will be alſo a great Means of reducing the exorbitant Price of all Commodities imported into this Iſland, and thereby put the Planter upon a more equal Footing with our dangerous Rivals in the Sugar Trade: And whereas the obliging all Attornies, Truſtees, Guardians, Executors, Adminiſtrators, Mortgagees in Poſſeſſion, and Sequeſtrators, and Perſons acting for and on Behalf of Minors and Abſentees, to render Accounts of the annual Produce and Profits of the Eſtates and Intereſts for which they are concerned, will be alſo a further Means of advancing and retrieving the Credit of this Iſland: And whereas the large Commiſſions taken and received on ſuch Eſtates and Intereſts have been alſo a farther Obſtruction to the Credit and Settling of this Iſland,

and to the lending Monies upon Landed Securities: And whereas the ſubjecting Lands to the Payment of all Debts, and the giving a ſpeedy and effectual Remedy for the extending of ſuch Lands, in Default of ſufficient Goods and Chattels, for Satisfaction upon Levies made by virtue of Writs of Execution, will greatly advance the good Purpoſes aforeſaid: We your Majeſty's moſt dutiful and loyal Subjects, the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, moſt humbly beſeech your Majeſty that it may be enacted; be it therefore enacted by the Governor, Council, and Aſſembly of the ſaid Iſland, and it is hereby enacted and ordained by the Authority of the ſame, That from and after the Twenty-fifth Day of *March* next enſuing, the paſſing of this Act, in all Suits, both in Law and Equity, for the Recovery of Monies lent upon Mortgage or Speciality, where the Defendant oppoſes or ſets up any Defence to the ſame, and the Plaintiff obtains Judgment, or a Decree for ſuch Monies, or for the Lands and Premiſſes upon which the Monies were lent the Defendant, ſhall not only pay unto the Plaintiff the uſual taxed Coſts of Suit, but be further liable to ſuch Fees as the Plaintiff ſhall have paid to Counſel in the Proſecution of the ſame, and for the travelling Charges and Expences of Witneſſes ſubpœnaed by the Plaintiff to give Evidence in ſuch Cauſe; and to all ſuch further and other Charges as the Plaintiff or his Attorney and Agent in this Iſland ſhall by Affidavit make appear to have been by him laid out and expended in the ſame Cauſe; which ſhall be taxed by the Officer of the reſpective Courts, pronouncing ſuch Judgment or Decree as Coſts of Increaſe. 1751.

Coſts of Increaſe, &c. allowed Perſons obtaining Judgment for Money lent.

II. Provided nevertheleſs, That upon Application made by the Defendant to the Court, in caſe ſuch Coſts ſo taxed ſhall appear to them unreaſonable, ſuch Court ſhall have Power to moderate and mitigate the ſame. Proviſo.

III. And be it further enacted by the Authority aforeſaid, That all and every the Counſel concerned for ſuch Plaintiff ſhall, and they are hereby obliged and required, if demanded, to give a Certificate under their Hands of the Fees by them received in any ſuch Cauſe or Suit, which ſhall be produced to the Clerk for his Direction and Government, upon ſuch Taxation; and for all Money lent or advanced by Merchants, Factors, or others reſiding in *Great Britain*, or by Perſons reſiding in this Iſland; and the Monies ſo lent or advanced, agreed to be paid in *Great Britain*, whether ſuch Agreement ſhall be by Parol, or in Writing, the Defendant, againſt whom Judgment or Decree ſhall be obtained for ſuch Money ſo lent or advanced, ſhall not only pay the Coſts above-mentioned, but alſo be liable to ſuch further Coſts and Charges, as well of Commiſſion as other Charges, as the Plaintiff, or his Attorney or Agent, Executor or Adminiſtrator ſhall make appear, by Affidavit, to the Officer taxing ſuch Coſts and Charges that he has ſuſtained, or may ſuſtain, by remitting the Monies ſo lent or advanced to *Great Britain*; and the ſaid Coſts and Charges ſhall be taxed by ſuch Officer as Coſts of Increaſe.

All *extra* Coſts allowed Perſons obtaining Judgment for lent Money, agreed to be paid in *Great Britain*.

IV. Provided always, That upon Application made by the Defendant to the Court, in caſe ſuch Coſts and Charges ſo taxed ſhall appear to them unreaſonable, ſuch Court ſhall have Power to moderate and mitigate the ſame. And for preventing frivolous and vexatious Writs of Error upon Judgments in the Supreme Court of Judicature, Proviſo.

V. Be it alſo enacted by the Authority aforeſaid, That if at any Time from and after the paſſing of this Act, any Perſon or Perſons ſhall proſecute any Action, Plaint or Suit, whereon Judgment ſhall be given againſt the Defendant, if at any Time after Judgment given for the Plaintiff, the Defendant ſhall ſue any Writ or Writs, or Error, to annul the ſaid Judgment, and the ſaid Judgment ſhall be afterwards affirmed to be good, or the ſaid Writ of Error ſhall be diſcontinued, or the Plaintiff in Error ſhall be non-ſuit therein; the Defendant in Error, in every ſuch Action, Plaint, Suit, or Writ of Error, upon a Certificate of any Three of the Judges conſtituting ſuch Court, that there was not a reaſonable Cauſe for ſuing ſuch Writ of Error, and that the ſame was frivolous, and brought merely for Delay and Vexation; then, and in every ſuch Caſe, the Party bringing ſuch Writ of Error, ſhall be obliged to pay unto the Defendant in Error double the Coſts he ſhall have laid out and expended by Means of ſuch Writ of Error, being brought

Perſons bringing frivolous Writs of Error, to pay double Coſts.

to

1751. to be taxed on Affidavit of the Defendant in Error, his Agent or Attorney, as Coſts of Increaſe, by the Clerk of the Court of Errors, to and for the ſole Uſe and Benefit of the Defendant in Error, and be added to the Coſts of the Judgment obtained in the Court below.

Proviſo. VI. Provided always, That upon Application made by the Plaintiff in Error to the Court of Errors, in caſe ſuch Coſts ſhall appear to them unreaſonable, ſuch Court ſhall have Power to moderate and mitigate the ſame.

Plaintiffs, upon *Nulla bona* being returned, to iſſue a Writ for Sale of Defendant's Lands.

VII. And be it further enacted by the Authority aforeſaid, That in all Actions and Suits at Law to be commenced from and after the ſaid Twenty-fifth Day of *March*, againſt any Perſon or Perſons, his, her, or their Executors or Adminiſtrators, and Judgment thereon obtained in the Supreme Court of Judicature of this Iſland, in caſe *Nulla bona* ſhall be returned, it ſhall and may be lawful to and for the Plaintiff, at whoſe Suit ſuch Execution iſſues, to iſſue a Writ for Sale of the Defendant's Lands, in the following Form, *viz.*

The Writ.

The King to the Provoſt-Marſhal greeting:

WHEREAS we have lately commanded thee by our Writ, that of the Goods and Chattels, real and perſonal, of A. B. *thou ſhouldſt levy, or cauſe to be levied, the Sum of of good and lawful Money of this Iſland, as alſo for Coſts of Suit, which* C. D. *in our Court recovered againſt the ſaid by virtue of which Writ thou didſt return unto us, that the ſaid* A. B. *had no Goods and Chattels, real and perſonal, in this Iſland, whereon thou couldſt levy the ſaid and Coſts; and the ſaid* C. D. *having prayed us of a fit Remedy againſt the Meſſuages, Plantations, Lands and Tenements of the ſaid* A. B. *for Satisfaction of the ſaid and Coſts: We therefore command thee, that of the Meſſuages, Plantations, Lands and Tenements of the ſaid* A. B. *within this Iſland, thou take to the Value of the ſaid and Coſts, by the Appraiſement of Twelve good and lawful Men, being Freeholders and Planters of the Neighbourhood, of ſuch Meſſuages, Plantations, Lands and Tenements, by thee to be ſummoned to meet upon the ſaid Premiſſes for that Purpoſe; and that Poſſeſſion and Seiſin thereof to the ſaid* C. D. *thou cauſe to be delivered on ſuch Appraiſement, for Satisfaction of the ſaid and Coſts, or ſo much as the Value and Appraiſement thereof ſhall extend, to hold to him the ſaid* C. D. *his Heirs and Aſſigns in Fee-ſimple, or for ſuch Eſtate as the ſaid* A. B. *had in the ſame; but if the ſaid* C. D. *ſhall refuſe to accept and receive ſuch Poſſeſſion and Seiſin of the ſaid Meſſuages, Plantations, Lands and Tenements, according to the ſaid Appraiſement, that thou deliver Poſſeſſion and Seiſin of the ſaid Meſſuages, Plantations, Lands, and Tenements, according to the ſaid Appraiſement, to any other Perſon or Perſons whatſoever, that ſhall pay down the Amount of ſuch Appraiſement, to be held by ſuch other Perſon or Perſons, his or their Heirs and Aſſigns in Fee-ſimple, or for ſuch Eſtate as the ſaid* A. B. *had in the ſame; and that thou make Return of the particular Premiſſes, ſo appraiſed and delivered to the ſaid* C. D. *or ſuch other Perſon or Perſons, and of the Appraiſement thereof, under the Hands and Seals of the ſaid Twelve good and lawful Men, into our Supreme Court of the ſaid Iſland, together with this Writ; but if no other Perſon or Perſons whatſoever ſhall, upon the Refuſal of the ſaid* C. D. *pay down the Amount of ſuch Appraiſement, or if thou canſt not find any Meſſuages, Plantations, Lands and Tenements of the ſaid* A. B. *in this Iſland, wherewith to ſatisfy in Part, or in all the ſaid and Coſts, that then thou make Return thereof into our ſaid Supreme Court of Judicature the laſt* Tueſday *in next, together with this Writ.*

Witneſs ——

Provoſt-Marſhal to receive Directions in Writing.

VIII. And be it further enacted by the Authority aforeſaid, That the Provoſt-Marſhal, before he proceeds to execute ſuch Writ, ſhall receive Inſtructions and Directions in Writing from the Plaintiff, upon which of the Meſſuages, Plantations, Lands and Tenements, he ſhall execute the Writ herein directed.

Proviſo. IX. Provided always, That it ſhall not be lawful for ſuch Plaintiff, in ſuch his Inſtructions and Directions to the Provoſt-Marſhal, to direct any Sett of Works, or any Part thereof, or any capital Meſſuage, or any Appurtenances thereof, to be valued, except the whole cultivated and improved Lands, uſually occupied

occupied with ſuch Works, or Capital Meſſuage, be directed to be valued with the ſaid Works or Capital Meſſuage. 1751.

Provoſt-Marſhal to give 14 Days Notice to the Defendant, &c.

X. AND be it further enacted by the Authority aforeſaid, That, upon the Receipt of ſuch Writ, the Provoſt-Marſhal is hereby impowered and required to give Fourteen Days Notice to the Defendant, and to ſummon a Jury of Twenty-four Planters or Freeholders, reſiding near the Lands to be extended by virtue of the ſaid Writ, out of which Twelve of the ſaid Perſons ſhall be ſworn by the Provoſt-Marſhal, to value the ſame upon Oath.

Proviſo.

XI. PROVIDED nevertheleſs, That in caſe the Defendant in ſuch Action ſhall, within Six Calendar Months after the ſaid Appraiſement, pay or cauſe to be paid unto the Plaintiff, or ſuch other Perſon or Perſons, the full and juſt Sum at which the ſame was valued, together with the lawful Intereſt for the ſame, the Plaintiff, or ſuch other Perſon, ſhall be obliged to accept of ſuch Payment, and to reinſtate the Defendant in the Poſſeſſion thereof, and do ſuch further lawful and reaſonable Acts in reſpect to the ſame, as ſhall be required of him by the Defendant, and at his the ſaid Defendant's own Coſts and Charges; any thing herein before contained to the contrary notwithſtanding.

Proviſo.

XII. PROVIDED alſo, That nothing in this Act contained ſhall extend, or be conſtrued to extend to impeach the Right of any Perſon or Perſons, other than the Defendant in ſuch Writs, or the Right which any prior Incumbrancer had, or might have had, either in Law or Equity, by virtue of any Lien on ſuch Lands; but that all and every Perſon or Perſons having ſuch Right or Lien, antecedent to ſuch Judgment obtained, ſhall have the full Benefit thereof; any thing herein contained to the contrary notwithſtanding: And in caſe there are Two or more Writs of Execution againſt the ſame Perſon of a concurrent Right, the Meſſuages, Plantations, Lands, and Tenements, ſo to be taken in Execution, ſhall be to the Uſe, Behoof, and Benefit of all and every the Plaintiffs in ſuch Executions.

Proviſo.

XIII. PROVIDED always, That nothing in this Act ſhall extend, or be conſtrued to extend, to debar any Plaintiff from the Benefit of the Writs of Execution, and *Venditioni exponas*, and other Writs which ſuch Plaintiff is now by Law intitled unto, for the Recovery of any Monies due to ſuch Plaintiff, either before or after iſſuing the Writ directed by this Act; but ſuch Plaintiff ſhall be, and he is hereby intitled to all the Benefits, Advantages, and Remedies, by any Law now in being, for Recovery of ſuch Monies, as if this Act had never been made.

Act 127 revived, and made perpetual.

XIV. AND whereas the Act of the Governor, Council, and Aſſembly of this Iſland, entituled, *An Act for preventing of Frauds and Breaches of Truſt, by Attornies, or Agents of Perſons abſent from this Iſland, and by Truſtees, Guardians, Executors and Adminiſtrators, acting for and on the Behalf of Minors, and others, and by Mortgagees in Poſſeſſion of Eſtates mortgaged, and Sequeſtrators appointed by Authority of the Court of Chancery*, paſſed the Twenty-ſeventh Day of *May*, in the Year of our Lord One thouſand ſeven hundred and forty, expired at the End of that Seſſion of Aſſembly which was held in this Iſland in the Year One thouſand ſeven hundred and forty-four; Be it enacted by the Authority aforeſaid, That from and after the paſſing of this Act, the aforeſaid Act, and every Clauſe, Article, Matter, and Thing therein contained, ſhall, and the ſame is hereby declared to be and ſtand revived, and be perpetual; and that the firſt Accounts of the Rents, Profits, Produce and Proceeds of the ſeveral Eſtates and Premiſſes in the ſaid Act mentioned, ſhall be rendered and exhibited for the Year of our Lord One thouſand ſeven hundred and fifty-two, on or before the Twenty-fifth Day of *March*, in the Year of our Lord One thouſand ſeven hundred and fifty-three; any thing in the ſaid Act, or any other Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

Commiſſions of Attornies, Factors, &c. reduced to 6 *per Cent.*

XV. AND be it further enacted and declared by the Authority aforeſaid, That from and after the Firſt Day of *January* next, which will be in the Year of our Lord One thouſand ſeven hundred and fifty-two, all Commiſſions of Attornies, or Agents of Perſons abſent from this Iſland, Truſtees, Guardians, Executors and Adminiſtrators, ariſing from their ſeveral and reſpective Receipts, Payments, Tranſactions, Management and Diſpoſals, after that Time, of the Rents, Profits, Produce, and Increaſe of any the Eſtates and Intereſt for which they are or ſhall be reſpec-

1751. reſpectively concerned, ſhall be, and the ſame is hereby reduced to Six Pounds *per Cent.* including the Factorage, Commiſſion for Supplies made in this Iſland for ſuch real Eſtates, for which ſuch Perſons ſhall or may be concerned; and that from and after the ſaid Firſt Day of *January* next, the Commiſſions for receiving and remitting of Monies lent, or remaining at Intereſt in this Iſland, and the Intereſt of ſuch Monies ſhall be, and the ſame is hereby declared to be, reduced to Five Pounds *per Cent.* to wit, Two Pounds ten Shillings for receiving, and Two Pounds ten Shillings for remitting, and no more; and that Mortgagees in Poſſeſſion are not intitled to any Commiſſion for their Management or Tranſactions of or concerning ſuch Poſſeſſions, except what ſhall be paid to the Factor for his Commiſſion: And in caſe any Perſon or Perſons, acting in either of the Capacities above-mentioned, ſhall demand or receive more, or a greater Commiſſion than what is herein before preſcribed, ſuch Perſon or Perſons ſhall, for every ſuch Offence, forfeit the Sum of One hundred Pounds, to be recovered in the Supreme Court of Judicature of this Iſland, by Action of Debt, Bill, Plaint, or Information; one Moiety whereof to be to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Moiety to him or them who ſhall ſue for the ſame; and ſhall alſo forfeit the whole Commiſſion on ſuch Sums as he ſhall receive Commiſſions on, contrary to the true Intent and Meaning of this Act.

For receiving and remitting Money, 5 *per Cent.*

Proviſo. XVI. Provided always, That nothing herein contained ſhall extend, or be conſtrued to extend to Commiſſions for the Sale of Negroes, or other Commodities, ſent to this Iſland from *Great Britain*, or elſewhere.

XVII. And whereas, by an Act of the Governor, Council, and Aſſembly of this Iſland, entituled, *A ſupplemental and explanatory Act*, paſſed in the Year of our Lord One thouſand ſix hundred and eighty-three, it is, among other Things, enacted, That when any Sugar, Ginger, Annotto, Indico, Cocoa, Cotton, or Piemento, being the Production of this Iſland, ſhall be taken upon Writ of *Venditioni exponas*, the ſame ſhall be carried to *Port Royal*, at the Charge and Riſque of the Defendant, and there be appraiſed by the Church-wardens for the Time being; in Abſence of one of the ſaid Church-wardens, then by the Church-wardens preſent, and either of the Church-wardens of the foregoing Year; and in Abſence of both the Church-wardens for the Time being, then by both the Church-wardens that were for the preceding Year, the ſaid Church-wardens being firſt ſworn to appraiſe the ſaid Goods according to their juſt Value, without Favour or Affection to either Party; which Oath any one Juſtice of the Peace is hereby impowered to adminiſter; and the ſaid Goods, ſo taken and appraiſed, ſhall, by the Provoſt-Marſhal, be forthwith delivered to the Plaintiff for ſo much Money as the ſame ſhall be appraiſed at, which ſhall be taken and accepted by the Plaintiff as ſo much Money effectually paid him; any former Law to the contrary notwithſtanding: And that the ſaid Church-wardens ſhall receive from the Defendant Four Pence out of every Twenty Shillings Value of what they ſhall ſo appraiſe; and if they, or any of them, ſhall refuſe to appraiſe upon Oath the Goods ſo taken, as aforeſaid, he or they ſo refuſing ſhall forfeit for every ſuch Refuſal the Sum of Ten Pounds, to be recovered by Bill, Plaint, or Information, in any Court of Record within this Iſland; the ſame to be the one Half to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Half to the Informer, or he that ſhall ſue for the ſame: Which ſaid ſeveral Clauſes being found inconvenient, be it further enacted by the Authority aforeſaid, That the ſaid Two ſeveral Clauſes herein before recited, and every Part, Matter, and Thing therein contained, be, and the ſame are hereby repealed, annulled, and made void; any thing therein contained to the contrary notwithſtanding; and that from and after the paſſing of this Act, no other Payment ſhall be allowed and deemed a good Payment in Law, but in current Coin of Gold or Silver, unleſs in ſuch Caſes where both Parties agree for Payment in Sugars, or other Produce of this Iſland, or in Diſcharge of Debts contracted before the paſſing of this Act.

Act 26, Cl. X. XI. repealed.

Current Coin only, a good Payment in Law.

XVIII. Pro-

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XVIII. PROVIDED always, That nothing herein contained ſhall extend, or be conſtrued to extend, in any ways to affect any Contracts heretofore made, for the Payment of any Sum or Sums of Money, or any Securities taken for the ſame, or to ſubject any Lands to be extended for the Payment thereof, in any other Manner than they heretofore were, except as herein after is excepted; but that all Contracts for Payment of Monies ſecured by Mortgage, Bond, Note, or otherwiſe due and owing before the paſſing of this Act, except as herein is excepted, ſhall be recovered, received, and paid, in like Manner as the ſame would have been in caſe this Act had not been paſſed; any thing herein before contained to the contrary notwithſtanding. Proviſo.

XIX. AND be it further enacted by the Authority aforeſaid, That from and after the Twenty-fifth Day of *March* next, which will be in the Year of our Lord One thouſand ſeven hundred and fifty-two, no Perſon or Perſons whatſoever, upon any Contract which ſhall be made, from and after the ſaid Twenty-fifth Day of *March*, take directly or indirectly, for Loan of any Monies, Wares, Merchandizes, or other Commodities whatſoever, above the Value of Six Pounds for the Forbearance of One hundred Pounds for a Year, and ſo after that Rate for a greater or leſſer Sum, or for a longer or ſhorter Time; and that all Bonds, Contracts, and Aſſurances whatſoever, made after the Time aforeſaid, for Payment of any Principal, or Money to be lent, or covenanted to be performed, upon or for any Uſury, whereupon or whereby there ſhall be reſerved or taken above the Rate of Six Pounds in the Hundred, as aforeſaid, ſhall be utterly void; and that all and every Perſon or Perſons whatſoever, which ſhall after the Time aforeſaid, upon any Contract to be made after the ſaid * Firſt Day of *January*, take, accept, and receive, by Way or Means of any corrupt Bargain, Loan, Exchange, Chevizance, Shift, or Intereſt of any Wares, Merchandizes, or other Thing or Things whatſoever, or by any deceitful Way or Means, or by any Covin, Engine, or deceitful Conveyance, for the forbearing, or giving Day of Payment for one whole Year, of and for their Money, or other Thing, above the Sum of Six Pounds for the forbearing of One hundred Pounds for a Year, and ſo after that Rate for a greater or leſſer Sum, or for a longer or ſhorter Term, ſhall forfeit and loſe, for every ſuch Offence, the treble Value of the Monies, Wares, Merchandizes, and other Things ſo lent, bargained, exchanged, or ſhifted. Intereſt reduced to 6 *per Cent.*

* *Error rectified*, Act 193. Cl. I.

XX. AND whereas large Sums of Money are now owing, from the Inhabitants of this Iſland, to Merchants, Factors, and others reſiding in *Great Britain*, and in this Iſland, under Contracts and Agreements expreſſed or implied, to pay the Monies ſo lent or advanced in *Sterling* Money, or by Bills of Exchange payable in *Great Britain*; be it therefore further enacted by the Authority aforeſaid, That all Perſons to whom ſuch Sum or Sums of Money is and are due and owing, under any Contract or Agreement, be the ſame by Specialty, or otherwiſe by Writing, or by Parol, expreſſed or implied, ſhall be, and they and every of them are hereby declared to be, intitled to all the Benefits and Advantages of this Act, in as full, ample, and beneficial a Manner, to all Intents and Purpoſes whatſoever, as if ſuch Contract or Agreement had been made, entered into, and agreed upon, after the paſſing of this Act; any thing herein contained to the contrary in any wiſe notwithſtanding. Merchants, *&c.* in *Great Britain* intitled to the Benefit of this Act.

XXI. AND be it further enacted and declared, That all Merchants, Factors, and others reſiding in *Great Britain*, who have, or may have lent or advanced Monies in *Great Britain* to Perſons reſiding in this Iſland at the Time when ſuch Monies were lent or advanced, have been, and are and ſhall be intitled to an Intereſt of Five Pounds *per Centum per Annum*, and ſo after that Rate for a greater or leſſer Sum, for a longer or ſhorter Time; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding. And to 5 *per Cent.* on Money lent to Perſons reſiding in this Iſland.

XXII. AND be it enacted by the Authority aforeſaid, That the Secretary of this Iſland cauſe this Act forthwith to be printed, and Twelve Copies thereof delivered to his Excellency the Governor, and to each of the Members of the Council and Aſſembly; the Expence whereof ſhall be paid by the Receiver-General for the Time being, out of any Money in his Hands unappropriated.

An

1751. *An Act for obliging the Juſtices and Veſtry of the Pariſh of St.* Mary *to make good certain Deficiencies to the Publick; and for altering the Day of electing Veſtrymen and Church-wardens in the ſaid Pariſh.*

Act 185. All this Act (but Cl. V.) temporary.

WHEREAS the Juſtices and Veſtry of the Pariſh of St. *Mary* did totally omit to lay, aſſeſs, levy, and collect, the Deficiency-Tax, from the Twenty-eight Day of *December*, One thouſand ſeven hundred and forty-eight, to the Twenty-eight Day of *March*, One thouſand ſeven hundred and forty-nine, as they were required and directed to do by an Act of the Governor, Council, and Aſſembly, entituled, *An Act to oblige the ſeveral Inhabitants of this Iſland to provide themſelves with a ſufficient Number of White Men capable of bearing Arms, or White Women or Children; or pay certain Sums of Money, in caſe they ſhall be deficient, and applying the ſame to ſeveral Uſes; and to enlarge the Time for the ſeveral Pariſhes in this Iſland to return an Account of Quit-rents given in, in ſuch Pariſhes, to the Receiver-General; and for authorizing and impowering the Commiſſioners for erecting a Houſe or Edifice for the Uſe of the Council and Aſſembly; and for the better preſerving the publick Records; and for the Reception of the Small-Arms, to purchaſe Lands and Tenements adjoining to the Parade in St.* Jago de la Vega, *for the Uſe of the ſaid Houſe or Edifice*, paſſed on the Thirteenth Day of *Auguſt*, in the Year of our Lord One thouſand ſeven hundred and forty-eight: We, your Majeſty's moſt dutiful and loyal Subjects, the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, humbly beſeech your Majeſty that it may be enacted; and be it enacted and ordained by the Authority of the ſame, That the Juſtices and Veſtry of the ſaid Pariſh of St. *Mary* be authorized, impowered, and required, forthwith to iſſue a Roll of Deficiency-Tax for the ſaid Quarter ſo omitted, in the very Words and Figures, and to the ſame Amount with the Deficiency-Roll of the Quarter immediately preceding ſuch Quarter omitted; and that they, together with the Church-wardens and Conſtables of the ſaid Pariſh, levy or cauſe to be levied the Money due on ſuch Roll, to be iſſued by virtue of this Act; and that they pay the whole Money due on ſuch Roll, into the Hands of the Honourable *Benjamin Hume*, Eſq; the Commiſſioner, or the Commiſſioner for the Time being, on or before the Firſt Day of *September*, which ſhall be in the Year of our Lord One thouſand ſeven hundred and fifty-two: And if any Juſtice, Veſtryman, Church-warden, or Conſtable, ſhall neglect his Duty herein, ſuch Juſtice, Veſtryman, Church-warden, or Conſtable, ſhall reſpectively forfeit the Sum of Two hundred Pounds.

II. And whereas the ſeveral Quarterly-Rolls of the Deficiency-Tax, in the ſaid Pariſh of St. *Mary*, from *December*, in the Year of our Lord One thouſand ſeven hundred and forty-nine, to *March*, in the Year of our Lord One thouſand ſeven hundred and fifty; from *March* to *June*, from *June* to *September*, and from *September* to *December*, in the Year One thouſand ſeven hundred and fifty; and from *December*, in the Year of our Lord One thouſand ſeven hundred and fifty, to *March*, in the Year of our Lord One thouſand ſeven hundred and fiifty-one; and from *March* to *June*, in the Year One thouſand ſeven hundred and fifty-one, have been made up and iſſued in a very irregular Manner, by reaſon that the Juſtices and Veſtry of the ſaid Pariſh of St. *Mary* taxed only thoſe that gave into them an Account of their White People, Negroes, and Cattle, and entered only the Names of thoſe Perſons that omitted to give in the ſame, and left the Columns for the Numbers of the White People, Negroes, and Cattle of ſuch Perſons, and the Sums they were to pay for their ſeveral Deficiencies, entirely blank, to the great Prejudice of the Publick: For Remedy whereof, be it enacted by the Authority aforeſaid, That the Juſtices and Veſtry of the Pariſh aforeſaid be, and they are hereby authorized, impowered, and required, to iſſue Six new Rolls for the Six Quarters herein laſt mentioned; in which Six new Rolls they ſhall inſert the Names of the Eſtates and Perſons that were inſerted in the former Rolls for the

ſaid Six Quarters, and of whom the Number of White People, Negroes, and Cattle, and the Sums they were to pay, were omitted, to be inſerted; and over againſt the Names of ſuch Eſtates and Perſons they ſhall add the Number of White People, Slaves, and Cattle, ſuch particular Perſons and Eſtates ſtand charged within that Roll that was iſſued for that Quarter which begun in *March*, in the Year of our Lord One thouſand ſeven hundred and forty-nine, and ended in *June* the ſame Year, being the Quarter immediately preceding ſuch Omiſſions; and ſhall charge the ſaid Eſtates and Perſons in the ſaid Six Rolls with the ſeveral Sums of Money they would be liable to pay for Deficiencies, by the Laws in Force at the Times ſuch Deficiencies would have been payable; and they, the ſaid Juſtices and Veſtry, and the Church-wardens and Conſtables of the ſaid Pariſh, ſhall levy or cauſe to be levied, in the ſame Manner that the Deficiency-Tax hath been uſually levied, the Money due on the ſaid Six Rolls ſo by them to be iſſued; and ſhall pay into the Hands of the Honourable *Benjamin Hume*, Eſq; the Commiſſioner, or the Commiſſioner for the Time being, on or before the Firſt Day of *September*, which will be in the Year of our Lord One thouſand ſeven hundred and fifty-two, all and every Sum or Sums of Money that ſhall be due on the ſaid Six Rolls; and if any Juſtice, Veſtryman, Church-warden, or Conſtable, ſhall neglect his Duty herein, ſuch Juſtice, Veſtryman, Conſtable, or Church-warden, ſhall reſpectively forfeit the Sum of Two hundred Pounds. 1751.

III. And whereas the Church-wardens of the ſaid Pariſh of St. *Mary* have omitted to collect any Duties on Rum for the ſeveral Quarters of a Year herein after mentioned; that is to ſay, from *June* to *September*, and from *September* to *December*, One thouſand ſeven hundred and forty-eight; and from *June* to *September*, and from *September* to *December*, One theuſand ſeven hundred and forty-nine; be it therefore further enacted by the Authority aforeſaid, That the Juſtices and Veſtry of the ſaid Pariſh be, and they are hereby authorized, impowered, and required, to lay, aſſeſs, levy, and collect, an equal Tax upon the Slaves and Cattle on the Sugar-Works in the ſaid Pariſh actually making Sugar, in the Year One thouſand ſeven hundred and forty-nine, to the Amount of Sixty Pounds, in order to make good the ſaid Omiſſions: And they, together with the Church-wardens and Conſtables of the ſaid Pariſh, or ſome or One of them, are hereby required to pay the ſaid Sum of Sixty Pounds into the Hands of the Honourable *Benjamin Hume*, Eſq; the Commiſſioner, or the Commiſſioner for the Time being, on or before the Firſt Day of *September*, which will be in the Year of our Lord One thouſand ſeven hundred and fifty-two; and if any Juſtice, Veſtryman, Church-warden, or Conſtable, ſhall neglect his Duty herein, ſuch Juſtice, Veſtryman, Church-warden, or Conſtable, ſhall reſpectively forfeit the Sum of Two hundred Pounds.

IV. And be it further enacted by the Authority aforeſaid, That all Penalties in this Act mentioned, ſhall be recovered by Action of Debt, Bill, Plaint, or Information, in the Supreme Court of Judicature; Half of which ſhall go to our Sovereign Lord the King, his Heirs and Succeſſors, to and for the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Moiety to him or them who ſhall ſue for the ſame.

V. And whereas, by an Act entituled, *An Act to appoint proper and certain Days for the Freeholders of the ſeveral Pariſhes within this Iſland to meet and chuſe Veſtrymen and other Parochial Officers; and for protecting Freeholders from Arreſts on the Days of Election of Members to ſerve in the Aſſembly*, it was enacted, That the Freeholders of the Pariſh of St. *Mary* ſhould meet on the Second *Thurſday* in *March* for chooſing Veſtrymen and other Parochial Officers; which Day hath been found inconvenient: Be it enacted by the Authority aforeſaid, That the Freeholders of the Pariſh of St. *Mary* aforeſaid, ſhall meet on the Firſt *Thurſday* in *February*, in every Year, for the Purpoſes before mentioned, in Lieu and inſtead of the ſaid Second *Thurſday* in *March*; any thing in the before recited Act, or any Law, Cuſtom, or Uſage to the contrary notwithſtanding. Time for chuſing Pariſh Officers.

VI. And be it further enacted by the Authority aforeſaid, That the Secretary of this Iſland do forthwith tranſmit a Copy of this Act to the Juſtices and Veſtry of the ſaid Pariſh of St. *Mary*.

1751. *An Act to alter and amend an Act entituled,* An Act to encourage the Breed of good and large Horſes.

Act 186. WHEREAS, by an Act of the Governor, Council, and Aſſembly of this Iſland, paſſed the Seventeenth Day of *November*, in the Year of our Lord One thouſand ſeven hundred and fifty, entituled, *An Act to encourage the Breed of good and large Horſes*, it is, among other things, enacted, That the Receiver-General for the Time being ſhall furniſh and provide a Purſe of One hundred Piſtoles once every Year, and that the ſame ſhall be annually run for on the Firſt *Thurſday* in *November* in each Year, in or near *Spaniſh Town Savannah*, upon a Two Mile Courſe, the beſt of Three Heats, under ſuch Rules and Regulations as is uſually at Races in *Great Britain*, by any ſtoned Horſes or Mares, carrying Ten Stone each, Fourteen Pounds to the Stone; and whereas, by the late Act of Parliament for regulating the Commencement of the Year, and for correcting the Kalendar then in Uſe, the ſaid Firſt *Thurſday* in *November* in every Year will happen earlier in every Year than the ſame would have done if the ſaid Regulation had not been made, which will become inconvenient, by reaſon of the heavy Rains which uſually fall in that Seaſon of the Year: May it therefore pleaſe your moſt excellent Majeſty that it may be enacted, and be it enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted and ordained by the Authority of the ſame, That hereafter the ſaid Purſe ſhall be run for on the laſt *Thurſday* in *November* in every Year, under the ſame Rules and Regulations mentioned in the ſaid firſt recited Act, as if the ſame ſhould have been run for on the ſaid Firſt *Thurſday* in *November*; any thing in the ſaid firſt recited Act to the contrary notwithſtanding.

Publick Purſe to be run for the laſt *Thurſday* in *November*.

II. And be it enacted by the Authority aforeſaid, That the Receiver-General for the Time being ſhall cauſe the ſaid Purſe of One hundred Piſtoles to be brought, on every ſuch laſt *Thurſday* in *November* in every Year, into the Field or Place appointed, in the ſaid firſt recited Act, for running of the ſaid Race, and there to be delivered to the Governor or Commander in Chief for the Time being, or to ſuch Perſon as he ſhall appoint to be Judge of the ſaid Race; to be by him paid, immediately after the Determination of the ſaid Race, to him, her, or them, who ſhall have the proper Right or Claim to the ſame, purſuant to the ſaid firſt recited Act.

The Purſe to be brought into the Field.

III. And be it further enacted by the Authority aforeſaid, That this Act, and every thing therein contained, ſhall continue and be in Force during the Continuance of the ſaid recited Act.

1752. *An Act to impower the Juſtices and Veſtry of the Pariſh of* Weſtmoreland *to purchaſe a Lott or Lotts of Land in or near the Town of* Savannah La Marr, *and to build a Court-houſe thereon.*

Act 187. WHEREAS, by an Act of the Governor, Council, and Aſſembly of this Iſland, entituled, *An Act appointing Commiſſions of* Niſi prius, *and enlarging the Juriſdictions of Juſtices of the Peace in Matters of Debt*, this Iſland is (for the more ſpeedy Adminiſtration of Juſtice, and for the Eaſe of the Inhabitants thereof) ſevered and divided into diſtinct Counties, appointing therein the moſt convenient Places for holding Courts for trying and determining Matters of Debt, not exceeding the Sum of One hundred Pounds, by Commiſſions of *Niſi prius*: And whereas the Town of *Savannah La Marr*, in the Pariſh of *Weſtmoreland*, hath been appointed the County Town for the County of *Cornwall*; and as it is highly neceſſary there ſhould be a convenient Edifice for holding the ſaid Court of Juſtice, as well as for holding the inferior Courts of Common Pleas and Courts of Quarter Seſſions, for the Conſervation of the Peace, and for the Trial

Trial of Negroes and other Slaves, the Meeting of Veſtries, and better carrying on the Publick and Parochial Buſineſs: We, your Majeſty's moſt dutiful and loyal Subjects, the Aſſembly of this your Majeſty's Iſland of *Jamaica*, beſeech your Majeſty that it may be enacted; and be it enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland, and it is hereby enacted by the Authority of the ſame, That it ſhall and may be lawful to and for the Juſtices and Veſtry of the ſaid Pariſh of *Weſtmoreland*, to meet and to purchaſe a Lott or Lotts of Land, at or near the Town of *Savannah La Marr*, and thereon to erect a Houſe or Edifice for a Court-houſe for the holding Seſſions of *Niſi prius* and other Pleas, and for tranſacting all other Publick and Parochial Buſineſs. 1752.

Court houſe to be built at *Savannah La Marr*,

II. And be it alſo enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Juſtices and Veſtry, and they are hereby impowered to raiſe any Sum or Sums of Money, not exceeeing in the Whole the Sum of Fifteen hundred Pounds, for the Uſes and Purpoſes aforeſaid; and to aſſeſs, collect, and levy the ſame in ſuch Manner as the Parochial Taxes are now raiſed, aſſeſſed, collected, and levied.

III. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Juſtices and Veſtry of the ſaid Pariſh of *Weſtmoreland*, from Time to Time, as the ſame ſhall be neceſſary, to repair the ſaid Houſe or Edifice out of the Pariſh-Tax that ſhall be annually raiſed in the ſaid Pariſh.

and repaired out of the Pariſh-Tax.

IV. And be it further enacted and declared by the Authority aforeſaid, That this Act, and every Clauſe, Matter, and Thing therein contained, be deemed a publick Act, and be judicially taken Notice of as ſuch by all Judges, Juſtices, and others, without ſpecially pleading the ſame.

An Act for making Proviſion for ſuch Perſons as may arrive from any of his Majeſty's Sugar Colonies.

Act 188.

WHEREAS ſeveral Perſons have lately arrived from the Iſland of *Barbadoes*, with their Wives and Children, with Intention to become and to continue Inhabitants of this Iſland; and as ſome Doubts have ariſen whether they are within the Letter of an Act entituled, *An Act for the better and more effectual Encouragement of White Families to become Settlers in this Iſland, and for giving a Bounty to certain Artificers to come over and exerciſe their ſeveral Trades*, ſo to be entitled to receive the Encouragement therein given: We, your Majeſty's moſt dutiful and loyal Subjects, the Governor, Council, and Aſſembly of this your Iſland of *Jamaica*, being truly ſenſible how beneficial the introducing any White Perſons into this Iſland will be thereto, and being willing and deſirous to give all poſſible Encouragement to ſuch Introduction, humbly beſeech your moſt Excellent Majeſty that it may be enacted; be it therefore enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted and ordained by the Authority of the ſame, That from and after the paſſing this Act, it ſhall and may be lawful to and for the Commiſſioners in the ſaid Act mentioned, or any Five of them, during the Intervals of Aſſemblies, upon Application made to them, to enquire into the Pretenſions of all Perſon or Perſons who ſhall hereafter arrive from any of his Majeſty's Sugar Colonies in *America*; and if, upon ſuch Enquiry, it ſhall appear to them that they have come with an Intention to continue and reſide here, that they, the ſaid Commiſſioners, or any Five of them, ſhall give Orders and Directions to the Receiver-General immediately to pay unto every ſuch Perſon or Perſons the Sum of Twenty Pounds, to re-imburſe him, her, or them, for the Expences of his, her, or their Paſſage hither, and Support, after his, her, or their Arrival; all which Sums ſhall be allowed him out of any Money in his Hands unappropriated.

Commiſſioners to examine New-Comers, &c.

II. And be it enacted by the Authority aforeſaid, That the Secretary of this Iſland do cauſe this Act to be printed, and Fifty Copies thereof to be delivered to the Governor or Commander in Chief for the Time being, and Six Copies to each of the Members of the Council and Aſſembly; to be by them promulgated according to their Diſcretion.

1752. III. And be it further enacted by the Authority aforeſaid, That this Act, and every Clauſe, Matter, and Thing therein contained, ſhall be, and continue in Force from the paſſing thereof till the Second Day of *December*, which ſhall be in the Year of our Lord One thouſand ſeven hundred and ſixty-three, and no longer.

An Act for continuing an Act, entituled, An Act for the further Regulation of the Service and Execution of Proceſs, and the Returns thereof, and other Purpoſes relating to the Service of Jurors, and rendering the ſame a more equal Duty; *and for the Proof of Service of Actions at the Suit of the Provoſt-Marſhal.*

Act 189. WHEREAS an Act of the Governor, Council, and Aſſembly of this Iſland, entituled, *An Act for the further regulating of the Service and Execution of Proceſs, and the Returns thereof, and other Purpoſes relating to the Service of Jurors, and rendering the ſame a more equal Duty*, paſſed the Twenty-eighth Day of *May*, in the Year of our Lord One thouſand ſeven hundred and forty-ſeven, expires at the End of this preſent Seſſions of Aſſembly; and whereas it is found neceſſary and convenient for the publick Good, that the ſaid Act ſhould be continued for a further Time, and that Proviſion ſhould likewiſe be made for the Proof of Service of Writs and Proceſs at the Suit of the Provoſt-Marſhal, in his own Right, and in the Right of others whom he doth or may repreſent: Be it therefore enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted and ordained by the Authority of the ſame, That the ſaid Act, and every Clauſe, Matter, and Thing therein contained, ſhall be and continue in Force from the End of this preſent Seſſions of Aſſembly, for the further Term of one Year, and no longer *.

* *This Act continued by* Act 196.

II. And be it further enacted by the Authority aforeſaid, That on Affidavit in Writing of the Proof of Service of any Summons, or other Proceſs, at the Suit of the Provoſt-Marſhal, in his own Right, or in the Right of others whom he doth or may repreſent, ſworn before any Judge of the ſaid Supreme Court, or any Judge of the inferior Courts of Common Pleas, or any Commiſſioner appointed by the Supreme Court to take Affidavits, and filed in the Office of the ſaid Supreme Court of Judicature, ſhall be of the ſame Force and Effect, for the Proof of ſuch Service, as if ſuch Affidavits were ſworn in the ſaid Supreme Court.

III. And be it further enacted by the Authority aforeſaid, That this Act, and every thing herein contained, ſhall alſo be and continue in Force for one Year, from the End of this preſent Seſſions of Aſſembly, and no longer.

An Act to prohibit the Importation of Sugars, Rum, and Molaſſoes, of the Growth of the French, Spaniſh, Dutch, *and* Daniſh *Colonies in* America *into this Iſland; and for preventing ſeveral Frauds committed by Perſons trading to and from the Northern Colonies.*

Act 190. WHEREAS divers Perſons and Traders in this Iſland have heretofore carried on a moſt pernicious Trade with the *French*, *Spaniſh*, *Dutch*, and *Daniſh* Colonies in *America*, by illicitly and clandeſtinely importing into this Iſland, and from thence into *Great Britain*, as *Engliſh* Produce, Sugars, Rum, and Molaſſoes, of the Produce and Growth of the ſaid Colonies, to the very great Prejudice of his Majeſty's Subjects the Planters of this Iſland; and whereas your Majeſty's Royal Will and Pleaſure, ſignified to your Majeſty's Governor of this Iſland, by the Lords Commiſſioners for Trade and Plantations, is, that effectual Meaſures ſhould be taken by Laws to prevent ſuch Importation of foreign Sugar; we therefore your Majeſty's moſt dutiful and loyal Subjects, the Aſſembly of this your Majeſty's Iſland of *Jamaica*, moſt humbly beſeech your Majeſty that it may be enacted; be it enacted by the Governor, Council, and Aſſembly of this your Majeſty's ſaid Iſland, and it is hereby enacted by the Authority of the ſame, That from and after the Firſt Day of *January* next enſuing, no Sugars, Rum,

or

or Molaſſoes, of the Growth of any of the *French*, *Spaniſh*, *Dutch*, or *Daniſh* Colonies, ſhall be imported into this Iſland, as Merchandize, or ſhall be ſhipt, laden, or taken on board any Boat, Canoe, Sloop, Ship, or other Veſſel, in any of the ſaid Colonies, or elſewhere, in order, or with Intent to be imported into this Iſland, as Merchandize, or otherwiſe, under the Penalty of forfeiting the ſaid Sugars, Rum, and Molaſſoes, ſo imported, or intended ſo to be, together with the Boat, Canoe, Sloop, Ship or other Veſſel, in which the ſame ſhall be imported, or on which the ſame was ſhipt, laden, or taken on board, in order, and with Intent to import the ſame, with the Tackle, Furniture, Guns, Ammunition, and Apparel of ſuch Boat, Canoe, Sloop, Ship, or other Veſſel, and of One hundred Pounds, by the Maſter of ſuch Boat, Canoe, Sloop, Ship, or other Veſſel, and the like Sum by the Owner and Proprietor of ſuch Sugars, and every of them; which Penalties and Forfeitures ſhall be recovered in his Majeſty's Court of Vice-Admiralty of this Iſland, or in the Supreme Court of Judicature of this Iſland. 1752.

Penalty for importing foreign Sugars, &c.

II. AND be it further enacted by the Authority aforeſaid, That the Captains, and other Officers of his Majeſty's Ships and Veſſels of War, and all Officers who by Law are authorized to make Seizures of Goods run, or intended ſo to be, are hereby authorized and impowered to ſeize the ſaid Sugars, Rum, and Molaſſoes, either on Land, in Port, or at Sea, and the Boats, Canoes, Sloops, Ships, and other Veſſels, on which they have been imported, or are ſhipt, laden, or taken on board, in order, and with Intent to import the ſame into this Iſland; and that the whole of the ſaid Seizure and Forfeiture, if taken by any of his Majeſty's Ships, or Veſſels of War, ſhall be to the Uſe of the Captors; and, if taken by any other Officers, one Moiety or half Part thereof to be to his Majeſty, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the other Moiety thereof to the Informer, or him or them that ſhall ſue for the ſame.

Seizures thereof by Ships of War given wholly to the Captors.

III. AND be it further enacted by the Authority aforeſaid, That in caſe any Diſpute or Difference ſhall ariſe touching the ſaid Sugars, Rum, or Molaſſoes, being of the Growth of the *French*, *Spaniſh*, *Dutch*, or *Daniſh* Colonies, and intended to be imported into this Iſland, the *Onus probandi* ſhall lie upon the Owner or Importer of the ſaid Sugars, and not upon the Seizer or Informer thereof, and the Claimer ſhall be reputed the Owner or Importer.

Diſputes, how decided.

IV. AND whereas Maſters of Veſſels, trading to and from the Northern Colonies to this Iſland, are often indulged to enter and clear their Veſſels at the ſeveral Offices within this Iſland, at one and the ſame Time, and do frequently clear out their ſaid Veſſels as having on board ſeveral Sorts of Commodities of the Produce of this Iſland, when in Fact they have no ſuch Commodities on board, or deſign to take any; but inſtead thereof, and to the great Prejudice of the Trade of this Iſland, do carry empty Caſks for holding, and Money for purchaſing, Molaſſoes, Sugars, and other the Products of the *French* Iſlands, which by Means of their Cockets obtained here as aforeſaid, eaſily enter into the ſaid Northern Colonies as the Produce of this Iſland; for preventing of ſuch pernicious Practices for the future, be it enacted by the Authority aforeſaid, That the Comptroller and Collector of his Majeſty's Cuſtoms, the Receiver-General, or the Receiver-General for the Time being, or any Officers of the Cuſtoms or Revenue of this Iſland, or any Deputy of ſuch Comptroller, Collector, Receiver-General, or the Receiver-General for the Time being, or other Officer of the Cuſtoms, or Revenue, ſhall not preſume to clear out any Ship, Sloop, or other Veſſel trading to the ſaid Northern Colonies from any of the ſeveral Ports of this Iſland, under the Penalty of Five hundred Pounds, until ſuch Time as the Maſter or Commander of ſuch Ship, Sloop, or other Veſſel, ſhall have appeared before him, them, or ſome, or one of them, or his, their, or ſome, or one of their Deputies, and produced Certificates under the Hands of the ſeveral Perſons of whom ſuch Perſon or Perſons have or hath bought the ſaid Goods, Wares, and Merchandizes, of the Produce of this Iſland, ſetting forth the Quantity of every particular Sort, and the Time when they were ſold; which ſaid Certificate ſhall be atteſted by a Magiſtrate of the Pariſh, where the Commodity or Commodities are purchaſed, and take the following Oath in Writing; or, if a Quaker, his

Penalty on Officers clearing out Veſſels before a Manifeſt of their Cargo is ſworn to, &c.

1752. his ſolemn Affirmation in Writing inſtead thereof; which Oath or Affirmation, the ſaid Comptroller and Collector, the Receiver-General, or the Receiver-General for the Time being, or either of their Deputies, or any other of the ſaid Port Officers, or their Deputies, are hereby impowered and required to adminiſter.

The Oath. I A. B. *do ſwear, That I have on board my Ship or Veſſel the Goods, Wares, and Merchandizes, mentioned and inſerted in the Manifeſt by me delivered, and for which I have now produced a Certificate or Certificates; and that I will not receive on board this my ſaid Ship or Veſſel, or export in this my preſent Voyage, any other Goods, Wares, or Merchandizes, but what I produce ſuch Certificates for, as aforeſaid, before I depart, or ſail from this Iſland.*

So help me God.

Penalty on Maſters of Ships ſwearing falſely. And in caſe the Maſter, Commander, or Owner of ſuch Ship, Sloop, or Veſſel, in his Manifeſt, report a greater or leſſer Quantity of Goods, Wares, or Merchandizes, of the Produce of this Iſland, than he actually hath on board, he ſhall forfeit the Sum of Five hundred Pounds current Money of this Iſland, and ſuffer Six Months Impriſonment without Bail or Mainprize.

Penalties how recovered. V. And be it further enacted by the Authority aforeſaid, That all Penalties in this Act mentioned, and not herein before declared where to be recovered, or how to be applied, ſhall be recovered in the Supreme Court of Judicature of this Iſland by Action of Debt, Bill, Plaint, or Information; wherein no Eſſoin, Protection, or Wager of Law ſhall be granted or allowed, or *Non vult ulterius proſequi* entered; one Moiety, or half Part whereof, ſhall be to our Sovereign Lord the King, his Heirs, and Suceſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof; and the other Moiety to the Informer, or him or them that ſhall ſue for the ſame.

VI. And be it further enacted by the Authority aforeſaid, That the Secretary of this Iſland do cauſe this Act to be forthwith printed, and Three Copies thereof to be delivered to his Excellency the Governor, and to each of the Members of the Council and Aſſembly; the Charges whereof ſhall be paid him by the Receiver-General, out of any Monies in his Hands unappropriated.

VII. And be it further enacted by the Authority aforeſaid, That this Act, and every Clauſe, Matter, and Thing herein contained, ſhall continue and be in Force, from the ſaid Firſt Day of *January* next, for and during, and unto the full End and Term of Two Years, and from thence to the End of the then next Seſſions of Aſſembly, and no longer; any Thing herein before contained to the contrary thereof in any wiſe notwithſtanding.

An Act to give a Recompence to Perſons that ſhall be unjuſtly vexed by Writs of Replevin.

Act 191. WHEREAS the Right, Title, and Intereſt to Negroe and other Slaves, and to Horſes, Mules, Aſſes, and Neat Cattle, have been and now are tried in the Supreme Court of Judicature, upon Writs of Replevin iſſuing out of the ſaid Court: And whereas by the Uſage of this Iſland ſuch Negroe and other Slaves, and ſuch Horſes, Mules, Aſſes, and Neat Cattle, are produced at all Trials, upon ſuch Writs of Replevin concerning them; which Uſage by long Experience hath been found uſeful, by Reaſon that the Parties for whom Judgments have paſſed at ſuch Trials, have had an immediate Benefit of the ſame, by a Delivery of the Thing contended for: And whereas many Plaintiffs in ſuch Writs of Replevin do, by iſſuing ſuch Writs and further Proceſſes thereupon, compel Defendants to produce ſuch Negroe and other Slaves, and ſuch Horſes, Mules, Aſſes, and Neat Cattle, at ſuch Supreme Court; and when the ſame are produced, and kept there at a very great Expence in Money, beſide the Loſs of the Labour of them, the ſaid Plaintiffs will not come to Trial upon ſuch Replevins, but continue their Cauſes over from Court to Court, to the intolerable Charge

Charge and Damage of the Defendant: And whereas Defendants do, in like Manner, when any of the afore-mentioned Particulars are delivered to the Plaintiff, according to the Exigency of ſuch Writs of Replevin, avoid coming to a Trial, under various Pretences, whereby ſuch Plaintiffs are put to the like Expences, Loſſes, Charges, and Damages: For Remedy whereof, we, your Majeſty's moſt dutiful and loyal Subjects, the Aſſembly of this your Majeſty's Iſland of *Jamaica*, do moſt humbly beſeech your Majeſty that it may be enacted; and be it enacted by the Governor, Council, and Aſſembly of this your Majeſty's ſaid Iſland, and it is hereby enacted and ordained by the Authority of the ſame, That whenever it ſhall happen, that any Negroe or other Slaves, or any Horſes, Mules, Aſſes, or Neat Cattle, ſhall be produced by the Plaintiffs or Defendants in the ſaid Supreme Court of Judicature, in Obedience to any Writ of Replevin, or to any ſubſequent Proceſs grounded upon ſuch Writ, or to any Rule of the ſaid Court made thereon, or ſhall be in the Cuſtody of the Provoſt-Marſhal by virtue of the ſame Proceſſes or Orders, and the Trial of ſuch Writ of Replevin ſhall be put off on the Motions of ſuch Plaintiffs or Defendants not having the Cuſtody of ſuch Negroe or other Slaves, or of the Horſes, Mules, Aſſes, or Neat Cattle, it ſhall and may be lawful for the ſaid Supreme Court of Judicature, at the Diſcretion of the ſaid Court, according to the Exigency of the Caſe, to adjudge and award a reaſonable Recompence to be made to the Party injured, by the Party putting off ſuch Trial, for the Expences and Charges of bringing ſuch Negroe and other Slaves, and ſuch Horſes, Mules, Aſſes, and Neat Cattle, to the ſaid Court, and of maintaining them there, and of carrying them back to the Place from whence they were brought; and to compel the Payment of the ſame by Attachment, or by any other ſummary Method which the ſaid Court ſhall think proper.. 1752.

Perſons injured by Delay of Trial, to be recompenced.

II. Provided always, and be it enacted by the Authority aforeſaid, That when any Negroe or other Slaves, or any Horſes, Mules, Aſſes, or Neat Cattle, ſhall be produced to the ſaid Court after an Eloignment on the Writs of Replevin, or a *Nulla bona* on a Writ of Withernam, or *Non eſt inventus* on a Writ of *Capias* in Withernam, ſhall be returned; in ſuch Caſes, the Party producing them ſhall not be entitled to the Benefit of the Recompence by this Act herein before granted, in ſuch Court or Term wherein either of the ſaid Returns ſhall be made, in caſe the Plaintiff ſhall not go to Trial in ſuch Court or Term. Proviſo.

III. Provided alſo, That when any Plaintiff or Defendant in Replevin, not having the Cuſtody of the Negroe or other Slaves, or of the Horſes, Mules, Aſſes, or Neat Cattle, mentioned in ſuch Replevin, ſhall give Notice in Writing, to the Party having the Cuſtody of the ſame, Six Days before any Supreme Court or Term, that he doth not intend to come to Trial on ſuch Replevin in the ſaid Court or Term; then, and in ſuch Caſe, if ſuch Plaintiff or Defendant having the Cuſtody of ſuch Negroe or other Slaves, or of ſuch Horſes, Mules, Aſſes, and Neat Cattle, ſhall produce them to the Supreme Court immediately enſuing ſuch Notice, ſuch Plaintiff or Defendant ſhall not be entitled to any Recompence by this Act granted and allowed, for producing, maintaining, and carrying them back, to and from the ſaid Court, in the ſame Court or Term for which ſuch Notice ſhall be given. Proviſo.

IV. And be it further enacted by the Authority aforeſaid, That when any Negroe or other Slaves, or any Horſes, Mules, Aſſes, or Neat Cattle, ſhall be in Cuſtody of the Provoſt-Marſhal, upon any Writ of Replevin, or any ſubſequent Proceſs, or Rule of Court grounded thereon, and the Trial of ſuch Replevin ſhall be put off, the Fees for detaining ſuch Negroe or other Slaves, and ſuch Horſes, Mules, Aſſes, and Neat Cattle, ſhall be paid by the Party on whoſe Motion ſuch Trial ſhall be put off.

Provoſt-Marſhal's Fees to be paid by the Perſon putting off Trial, &c.

V. And be it further enacted by the Authority aforeſaid, That on all Trials on Writ of Replevin, wherein Judgment ſhall paſs for the Defendant, or the Plaintiff ſhall become Non-ſuit, it ſhall and may be lawful for the Supreme Court of Judicature, at the Diſcretion of the ſaid Court, according to the Exigency of the Caſe, to adjudge and award a reaſonable Recompence to be paid by the Plaintiff to the Defendant, over and above the uſual Coſts of Suit, for

Plaintiffs non-ſuited to pay Coſts of Increaſe to the Defendant.

1752. the Charges, Expences, and Losses, such Defendant shall sustain, by Means of bringing the Negroe or other Slaves, Horses, Mules, Asses, Neat Cattle, or other Goods and Chattels mentioned in the said Replevin to the said Court, and of maintaining and keeping them there, and of leading or carrying them back to the Place from whence they were brought, and to compel the Payment of the same by Attachment, or by any other summary Method which the said Court shall think proper.

VI. And be it further enacted by the Authority aforesaid, That this Act shall be printed, and Six Copies thereof shall be sent to his Excellency the Governor, and to each of the Members of the Council and Assembly; the Charge of which shall be paid by his Majesty's Receiver-General, out of any Money in his Hands unappropriated.

VII. And be it further enacted by the Authority aforesaid, That this Act, and every Thing therein contained, shall be of Force from the First Day of *January* next ensuing, to the full End and Term of Two Years, and from thence to the End of the then next Sessions of Assembly, and no longer.

An Act for the Relief and better Regulation of the Poor; and to oblige Masters of Ships and other Vessels to indemnify the several Parishes of this Island against any Charges and Expences for supporting and curing their sick, maimed, infirm, or disabled Seamen.

Act 192. WHEREAS the Maintenance of the Poor is become very burthensome and expensive to the Parishes of St. *Catherine* and *Kingston*, which have for several Years past been burthened with the Maintenances and curing of many poor sick Persons, that did not belong to the said Parishes: In order therefore to relieve the said Parishes from so unequal a Burthen, be it enacted by the Governor, Council, and Assembly of this your Majesty's said Island of *Jamaica*, and it is hereby enacted and ordained by the Authority of the same, That the Sum of One hundred Pounds be annually paid, by the Commissioner to the Publick, into the Hands of the Church-wardens of the said Parish of St. *Catherine*; and the Sum of Three hundred Pounds *per Annum* into the Hands of the Church-wardens of the Town and Parish of *Kingston*, for and during the Continuance of this Act, out of any Monies in his Hands unappropriated, to be by them, the said respective Church-wardens, applied to and for the Maintenance and curing of the aforesaid sick and poor Persons, not belonging to the said respective Parishes; which said Monies shall, from Time to Time, be accounted for, by the said Church-wardens respectively, to this or any future Assembly.

Receiver-General to pay St. *Catherine's* 100 *l.* and *Kingston* Parish 300 *l.* annually.

II. And whereas it hath been a Practice with Masters of Ships and other Vessels in the Merchants Service, from Time to Time, and in different Ports and Places in this Island, unjustly and illegally to discharge, turn on Shore, and leave at the said respective Ports and Places, many poor, sick, infirm, and disabled Seamen, who ought to be taken Care of and provided for by the said Masters of Ships and other Vessels; to remedy which Inconvenience, be it further enacted by the Authority aforesaid, That if any Master of any Ship or Vessel shall, on any Pretence whatsoever, put on Shore, discharge, or leave upon this Island, any poor, sick, infirm, or disabled Seamen, who shall become a Charge upon any Parish of this Island, within the Space of Three Months next after the Time of their being put on Shore, he or they so offending shall, for every such Offence, forfeit the Sum of Fifty Pounds, to be recovered in the Supreme Court of Judicature of this Island, by Action of Debt, Bill, Plaint, or Information, wherein no Essoin, Injunction, or Wager of Law shall be granted or allowed, or *Non vult ulterius prosequi* entered; one Moiety, or half Part whereof, shall be to our Sovereign Lord the King, his Heirs and Successors, for and towards the Support of the Government of this Island, and the contingent Charges thereof; and the other Moiety,

Penalty on Masters of Vessels leaving sick Men, &c. on Shore.

Moiety, or half Part thereof, to the Informer, or him or them that ſhall ſue for the ſame. 1752.

III. AND be it enacted by the Authority aforeſaid, That all and every Maſters of Ships and other Veſſels coming into this Iſland ſhall, at the Time of their entering ſuch Ships and Veſſels, give Security in the Secretary's Office of this Iſland, by a Clauſe to be for that Purpoſe inſerted in the Bond they already enter into in the ſaid Office, to indemnify the Church-wardens of the ſeveral and reſpective Pariſhes of this Iſland againſt all Charges and Expences whatſoever which they ſhall be at, for or on Account of the ſupporting and keeping, and againſt all Charges and Expences of Inqueſts, and of burying any ſuch poor, ſick, infirm, or diſabled Seamen, ſo to be left on Shore, and becoming burthenſome to any of the Pariſhes of this Iſland; all which ſaid Charges and Expences ſhall be recovered againſt the ſaid Maſters of Ships and other Veſſels reſpectively, or their ſaid Security, by the Church-wardens of the Pariſhes where ſuch Expences hath accrued, before any Judge of the Grand Court, or any Two Juſtices of the Peace, without Appeal, and to be levied by Warrant under the Hand and Seal of ſuch Judge or Juſtices, by Diſtreſs and Sale of the Offenders Goods. Maſters of Veſſels to give Security to indemnify Pariſhes, &c.

IV. AND be it further enacted by the Authority aforeſaid, That the Secretary of this Iſland do cauſe this Act to be forthwith printed, and Six Copies thereof to be delivered to his Excellency the Governor, and to each of the Members of the Council and Aſſembly; the Charges whereof ſhall be paid him by the Receiver-General, out of any Monies in his Hands unappropriated.

V. AND be it further enacted by the Authority aforeſaid, That this Act, and every Clauſe, Matter, and Thing herein contained, ſhall continue and be in Force from the paſſing thereof, for and during and unto the full End and Term of Two Years, and from thence to the End of the then next Seſſions of Aſſembly, and no longer; any Thing herein contained to the contrary thereof in any wiſe notwithſtanding.

An Act to explain and amend a Clauſe in an Act paſſed in the Year One thouſand ſeven hundred and fifty-one, entituled, An Act for making good and wholeſome Proviſions, for raiſing and eſtabliſhing the Credit of this Iſland, and repealing of an Act, entituled, A ſupplemental and explanatory Act.

WHEREAS by an Act entituled, *An Act for making good and wholeſome Proviſions for raiſing and eſtabliſhing the Credit of this Iſland, and repealing of an Act entituled, A ſupplemental and explanatory Act,* paſſed laſt Seſſions of Aſſembly, it is amongſt other Things enacted, That from and after the Twenty-fifth Day of *March* next, which will be in the Year of our Lord One thouſand ſeven hundred and fifty-two, no Perſon or Perſons whatſoever, upon any Contract which ſhall be made from and after the ſaid Twenty-fifth Day of *March*, take, directly or indirectly, for Loan of any Monies, Wares, Merchandizes, or other Commodities whatſoever, above the Value of Six Pounds for the Forbearance of One hundred Pounds for a Year, and ſo after that Rate for a greater or leſſer Sum, or for a longer or ſhorter Time; and that all Bonds, Contracts, and Aſſurances whatſoever, made after the Time aforeſaid, for Payment of any Principal or Money to be lent, or covenanted to be performed upon, or for any Uſury whereupon, or whereby there ſhould be reſerved, or taken, above the Rate of Six Pounds in the Hundred, as aforeſaid, ſhall be utterly void; and that all and every Perſon or Perſons whatſoever which ſhall, after the Time aforeſaid, upon any Contract to be made after the ſaid Firſt Day of *January*, take, accept, and receive, by Way or Means of any corrupt Bargain, Loan, Exchange, Chevizance, Shift, or Intereſt of any Wares, Merchandizes, or other Thing or Things whatſoever, or by any deceitful Way or Means, or by any Covin, Engine, or deceitful Conveyance, for the Forbearing or giving Day of Payment for one whole Year of and for their Money, or other Thing, above the Sum of Six Pounds, for the Forbearing of One hundred Pounds for a Year, and ACT 193.

1752. ſo after that Rate for a greater or leſſer Sum, or for a longer or ſhorter Term, ſhall forfeit and loſe for every ſuch Offence the treble Value of the Monies, Wares, Merchandizes, and other Things, ſo lent, bargained, exchanged, or ſhifted; whereby it appears that there is a manifeſt Error in the Time expreſſed in the penal Part not agreeing with the Time expreſſed in the enacting Part of the ſaid Clauſe, which may create Doubts, from whence great Inconveniences may ariſe: To prevent which, be it enacted and declared by the Governor, Council, and Aſſembly of this your Majeſty's Iſland; and it is hereby enacted, declared, and ordained by the Authority of the ſame, That the Words (*the ſaid Firſt Day of January*) were inſerted in the ſaid Clauſe of the ſaid Act by Miſtake, and that the Words (the ſaid Twenty-fifth Day of *March*) ought to have been inſerted in the Place and Stead of ſuch Words ſo inſerted by Miſtake; and that the ſaid herein before recited Clauſe of the ſaid Act ſhall be deemed, taken, adjudged, and underſtood, in ſuch Manner, as if the ſaid latter Words had been inſerted in the Place and Stead of the former.

Error in Act 184. Cl. XIX. rectified.

II. And be it further enacted by the Authority aforeſaid, That it is the Intention and true Meaning of the above recited Clauſe in the abovementioned Act, that all Bonds and Securities entered into, and Contracts made, on or before the Twenty-fifth Day of *March* laſt, expreſſed or implied to carry lawful Intereſt, are entitled to the then legal Intereſt of Eight Pounds for the Forbearance or Loan of One hundred Pounds for a Year.

III. And be it further enacted by the Authority aforeſaid, That no Perſon whatſoever was, is, or are in any wiſe ſubject, or liable to the Penalties expreſſed in the ſaid aforementioned Clauſe of the ſaid Act, for or on Account of having taken any Bonds or other Securities, or made any Contracts on or before the ſaid Twenty-fifth Day of *March* laſt, at Eight Pounds *per Centum* Intereſt *per Annum*.

An Act for adding Truſtees to thoſe already appointed for veſting the Eſtate, real and perſonal, of Thomas Finch, *late of the Pariſh of* Kingſton, *Eſq; in Truſtees, the better to enable his Securities to pay the Sum of Three thouſand eight hundred Pounds, due from the ſaid* Thomas Finch, *as Commiſſioner to the Publick.*

Act 194. WHEREAS in and by an Act, entituled, *An Act for making and opening a Road fit for Wheel Carriages, from the Pariſh of St.* Ann *to the Pariſh of St.* Thomas in the Vale; *and for empowering other Truſtees to execute ſo much of the Truſts as remains unexecuted by or under an Act entituled, An Act for veſting the Eſtate real and perſonal of* Thomas Finch, *late of the Pariſh of* Kingſton, *Eſq; in Truſtees, the better to enable his Securities to pay the Sum of Three Thouſand eight hundred Pounds, due from the ſaid* Thomas Finch, *as Commiſſioner to the Publick of this Iſland*, paſſed in the Year One thouſand ſeven hundred and forty-four, it is among other Things enacted, That *Robert Phillips*, *Edward Manning*, and *William Peete*, Eſqrs. be nominated and appointed Truſtees in the Room of divers others Perſons deceaſed, in the ſaid Act named; and that ſuch Part of the Eſtate of the ſaid *Thomas Finch*, as then remained undiſpoſed of, be, and the ſame was thereby veſted in them the ſaid *Robert Phillips*, *Edward Manning*, and *William Peete*, Eſqrs. and their Heirs, with Power to them, or any Two of them, to do all Acts and Things neceſſary to the Execution of the aforeſaid Truſt: And whereas, by reaſon of the Death of the ſaid *William Peete*, and the Indiſpoſition of one other of the ſaid Commiſſioners, and ſome Part of the ſaid Truſt yet remaining unperformed, it is neceſſary, for the Purpoſes in the ſaid Act mentioned, that other Truſtees ſhould be added: Be it therefore enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted by the Authority aforeſaid, That *John Morſe*, *William Gordon*,

Gordon, *William Hicks*, and *Robert Duckinfield*, Eſquires, be, and they are hereby added to the ſaid *Robert Phillips* and *Edward Manning*, the ſaid ſurviving Truſtees, nominated and appointed in and by the ſaid firſt in Part recited Act; and that all ſuch Part of the Eſtate, real and perſonal, late of the ſaid *Thomas Finch*, as remains undiſpoſed of by the ſaid Truſtees, or any former Truſtees appointed for that Purpoſe, be, and the ſame is hereby veſted in the ſaid *John Morſe*, *William Gordon*, *William Hicks*, and *Robert Duckingfield*, and their Heirs jointly with them, the ſaid *Robert Phillips* and *Edward Manning*, upon the Truſts, and to the Uſes in the ſaid Act, in as full, large, and ample Manner, as the ſame was veſted in the ſaid former Truſtees, or either of them; and the ſaid *John Morſe*, *William Gordon*, *William Hicks*, and *Robert Duckinfield*, are hereby veſted with the ſame Powers and Authorities as were or are veſted in them the ſaid former or other Truſtees, or either of them, by Virtue of the ſaid Acts, or either of them; and that they the ſaid *Robert Phillips*, *Edward Manning*, *John Morſe*, *William Gordon*, and *Robert Duckinfield*, or any Two of them, ſhall and may execute the aforeſaid Truſts, and do all Acts and Things neceſſary to the Execution thereof; any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding. 1752. Truſtees added.

An Act to prevent frivolous and vexatious Arreſts. 1753.

ACT 195.

FOR preventing frivolous and vexatious Arreſts, we your Majeſty's moſt dutiful and loyal Subjects, the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, humbly beſeech your moſt Excellent Majeſty, that it may be enacted; be it therefore enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted and ordained by the Authority of the ſame, That from and after the Firſt Day of *January*, which will be in the Year of our Lord One thouſand ſeven hundred and fifty-four, no Perſon ſhall be arreſted, or held to ſpecial Bail, in any Caſe whatſoever, unleſs an Affidavit, or, if by a Quaker, a ſolemn Affirmation ſhall be made of the Cauſe of ſuch Action; which Affidavit or ſolemn Affirmation may be made before any Judge or Commiſſioner of the Court out of which ſuch Proceſs ſhall iſſue, authorized to take Affidavits in ſuch Court; and for ſuch Affidavit or ſolemn Affirmation, One Shilling and Three Pence for taking the ſame, and One Shilling and Three Pence for filing the ſame ſhall be taken, and no more; and the Sum or Sums ſpecified in ſuch Affidavit ſhall be indorſed on the Back of the Declaration, delivered with the Writ or Proceſs to the Provoſt-Marſhal, for which Sum or Sums ſo indorſed the Provoſt-Marſhal ſhall take Bail, and for no more; but after the ſaid Firſt Day of *January* aforeſaid, any Writ or Proceſs of Arreſt ſhall iſſue, and no Affidavit and Indorſement ſhall be made on the Declaration delivered with the ſame, in Manner herein before directed; then, and in ſuch Caſe, the Provoſt-Marſhal ſhall not proceed to execute the ſaid Writ or Proceſs. No Perſon to be arreſted without Affidavit made of the Cauſe. Bail to be taken for the Sums ſpecified in the Affidavit.

II. PROVIDED always, That nothing in this Act ſhall extend to the making the Freeholders of this Iſland liable to Arreſts upon meſne Proceſs, or otherwiſe than they are liable before the paſſing this Act. Proviſo.

An Act for continuing an Act, entituled, An Act for the further Regulation of the Service and Execution of Proceſs, and the Returns thereof, and other Purpoſes relating to the Service of Jurors, and rendering the ſame a more equal Duty; and for the Proof of Service of Actions at the Suit of the Provoſt-Marſhal.

ACT 196.

WHEREAS, by an Act of the Governor, Council, and Aſſembly of this Iſland, entituled, *An Act for continuing an Act, entituled, An Act for the further Regulation of the Service and Execution of Proceſs, and the Returns thereof, and other Purpoſes relating to the Service of Jurors, and rendering the ſame a more* Act 189 continued for ſeven Years.

1753. *a more equal Duty, and for the Proof of Service of Actions at the Suit of the Provoſt-Marſhal*, paſſed the Twenty-ſeventh Day of *November*, in the Year of our Lord One thouſand ſeven hundred and fifty-two, expires at the End of this preſent Seſſion of Aſſembly; and whereas it is found neceſſary and convenient for the publick Good, that the ſaid Act ſhould be continued for a further Time: Be it therefore enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*; and it is hereby enacted and ordained by the Authority of the ſame, That the ſaid Act, and every Clauſe, Matter, and Thing therein contained, ſhall be, and continue in Force from the End of this preſent Seſſions of Aſſembly, for the further Term of Seven Years, and from thence to the End of the next Seſſions of Aſſembly, and no longer.

An Act to impower his Excellency the Governor, or the Governor and Commander in Chief for the Time being, to make Grants to New-Comers of the One hundred Acres of Land laid out for the Uſe of Parties near the Barrack, at or near Manchioneal *Harbour.*

Act 197. WHEREAS, in purſuance of an Act of the Preſident, Council, and Aſſembly of this Iſland, entituled, *An Act for the Eaſe and Relief of the Inhabitants of this Iſland in building Barracks, and remedying and ſupplying ſome Defects and Omiſſions in the late Barracking Law*, paſſed the Fifteenth Day of *May*, in the Year of our Lord One thouſand ſeven hundred and thirty-ſix, a Barrack or Fortreſs was erected and built at or near *Manchioneal* Harbour, in the Pariſh of St. *Thomas in the Eaſt*, and One hundred Acres of Land near thereto were reſerved, that in caſe the Parties garriſoned in ſuch Barrack ſhould be inclined to plant Proviſions, or raiſe Stock, the ſame might be diſtributed amongſt them in ſuch Shares and Manner as the Commander in Chief, on the Recommendation of the Commanding Officer of the Barrack, ſhould judge moſt fit and proper; and whereas, in or about the Year of our Lord One thouſand ſeven hundred and thirty-eight, the Negroes in Rebellion were reduced to Obedience, and have ever ſince continued in the ſame, ſo that the aforeſaid Barrack or Fortreſs was evacuated, and the Soldiers or Parties garriſoned therein were diſcharged; and whereas, on account of ſuch Soldiers and Parties being ſo diſcharged, ſoon after the building the ſaid Barrack, no Uſe hath as yet been made of the ſaid Land by any Perſons in Garriſon in the ſaid Barrack, but the Whole of the ſaid One hundred Acres of Land ſtill remain veſted in your Majeſty; and whereas ſeveral New-Comers, by and with the Conſent of his Excellency *Charles Knowles*, Eſq; your Majeſty's Governor of this Iſland, have actually ſettled and begun to build Houſes on the ſaid One hundred Acres of Land ſo veſted in your Majeſty, and are deſirous of having Grants of the ſame: But as the ſaid Land cannot be granted to ſuch New-Comers without the Aid and Interpoſition of the Legiſlature, we, your Majeſty's moſt dutiful and loyal Subjects, the Aſſembly of this your Majeſty's Iſland of *Jamaica*, humbly beſeech your Majeſty that it may be enacted; be it therefore enacted by the Governor, Council, and Aſſembly of this your Majeſty's ſaid Iſland of *Jamaica*, and it is hereby enacted and ordained by the Authority of the ſame, That from and immediately after the paſſing of this Act, it ſhall and may be lawful to and for his Excellency the Governor, or the Governor or the Commander in Chief for the Time being, to grant, under the Broad Seal of this Iſland, to ſuch the aforeſaid New-Comers, their Heirs and Aſſigns, who have actually ſettled or begun to build Houſes upon the ſaid One hundred Acres at or near *Manchioneal* Harbour, the ſame Lands by them ſo ſettled and built upon, in ſuch Manner and Proportions as his ſaid Excellency the Governor, or the Governor or Commander in Chief for the Time being, ſhall think proper, provided that no ſuch Grant ſhall exceed the Quantity of Twenty Acres.

Governor impowered to make new Grants, &c.

II. And be it further enacted by the Authority aforeſaid, That if any Part of the ſaid One hundred Acres of Land ſhall be left, after ſuch Grants as are herein before mentioned ſhall be made, it ſhall and may be further lawful for his Excellency the Governor, or the Governor or Commander in Chief for the Time being,

being, to make Grants thereof, under the Broad Seal of this Iſland, to ſuch other New-Comers, their Heirs and Aſſigns, as ſhall apply to ſuch Governor, or Commander in Chief for the Time being for the ſame. 1753.

III. PROVIDED always, That no ſuch Grant ſhall be for more than Twenty Acres to any one Perſon. Proviſo.

IV. PROVIDED alſo, That no Grant to be made by virtue of this Act ſhall extend to the Sea-ſhore, or *Manchioneal* Harbour, nearer than Three hundred Feet, Proviſo.

V. AND be it further enacted by the Authority aforeſaid, That the Expence of all Grants that ſhall be made by virtue of this Act, ſhall be paid for by the Receiver-General out of any Monies in his Hands unappropriated.

An Act for the more effectual preventing the evil Practice of the Owners of Slaves hiring out ſuch Slaves to themſelves.

ACT 198.

WHEREAS the ſeveral Laws now in Force, for prohibiting the Proprietors of Slaves from hiring out ſuch Slaves to themſelves, are found to be ineffectual for preventing ſo pernicious a Practice: We your Majeſty's moſt dutiful and loyal Subjects, the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*, moſt humbly beſeech your Majeſty that it may be enacted; be it therefore enacted by the Governor, Council, and Aſſembly of this your Majeſty's ſaid Iſland, and it is hereby enacted and ordained by the Authority of the ſame, That if any Owner or Owners, Employer or Employers of any Slave or Slaves, or any other Inhabitant of this Iſland, ſhall, from and after the Twenty-fifth Day of *March*, in the Year of our Lord One thouſand ſeven hundred and fifty-four, conſent or permit for a certain Sum of Money, or other Conſideration, to be paid by the Day, Week, Month or Year, or any greater or leſſer Time, ſuch Slave or Slaves to go abroad, or to employ themſelves where ſuch Slave or Slaves ſhall think fit, or to work for whom they pleaſe, he, ſhe, or they, and all and every Perſon hiring, or employing any ſuch Slave or Slaves, ſhall forfeit the Sum of Ten Pounds for every Offence; to be recovered before any Two Juſtices of the Peace of the Pariſh or Precinct where the Offence ſhall be committed, by Warrant under their Hands and Seals, by Diſtreſs and Sale of the Offender's Goods and Chattels; one Moiety whereof to the Informer or Proſecutor, the other Moiety to the Church-wardens, for the Uſe of the Poor of the Pariſh where ſuch Offence ſhall be committed. Penalty on Perſons hiring out Slaves to themſelves.

II. AND be it further enacted by the Authority aforeſaid, That the Secretary of this Iſland do forthwith cauſe this Act to be printed, and three Copies thereof to be ſent to his Excellency the Governor and Commander in Chief, and to each of the Members of his Majeſty's Council, and to each Member of the Aſſembly, and to the *Cuſtos* of each Pariſh; the Charges of which ſhall be paid to him by the Receiver-General, out of any Monies in his Hands unappropriated; and that this Act ſhall be read in each Quarter-Seſſions of the Peace within this Iſland; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

An Act for making a Road for Wheel-Carriages from Kingſton *to the Bath.*

ACT 199.

WHEREAS a Road for Wheel-Carriages is now carrying on and making by Subſcription from the Town of *Kingston* to the Bath; and to the End that the Undertakers of the ſaid Road may be in no ways obſtructed or impeded in performing and completing ſo neceſſary and uſeful a Work, we, your Majeſty's moſt dutiful and loyal Subjects, the Aſſembly of this your Majeſty's Iſland of *Jamaica*, moſt humbly beſeech your Majeſty that it may be enacted; be it therefore enacted by the Governor, Council, and Aſſembly of this your Majeſty's Iſland of *Jamaica*; and it is hereby enacted and ordained by the Authority of the ſame, That the Honourable *Philip Pinnock*, and the Honourable *Charles Price*, and the Honourable *Peter Valette*, Eſquires, be, and they are hereby appointed Commiſſioners for the ſaid Road; and they, or any Two or One of them, Commiſſioners appointed,

1753. are hereby impowered and required, as ſoon as conveniently may be, after the paſſing of this Act, or whenſoever it ſhall to them, or either of them, ſeem neceſſary and expedient, to apply to any Magiſtrate or Magiſtrates of the Pariſhes of St. *David* and St. *Thomas in the Eaſt*, or either of them, to lay out the moſt convenient Road to the ſaid Bath through the ſaid Pariſhes of St. *David* and St. *Thomas in the Eaſt* (ſuch Part of the ſaid Road as leads through the Pariſhes of *Kingston* and *Port Royal* being already opened;) and ſuch Magiſtrate or Magiſtrates, ſo applied to, is, and are hereby obliged and required to iſſue ſuch Warrant or Warrants, and to proceed in the laying out ſuch Road after the Manner preſcribed for laying out Roads, by an Act, entituled, *An Act for the Highways.*

Pariſhes thro' which the Road paſſes to keep it in Repair.

II. And be it further enacted by the Authority aforeſaid, That the Inhabitants of the ſeveral Pariſhes through which the ſaid Road now doth and ſhall paſs, ſhall, and they are ſeverally and reſpectively hereby authorized, impowered, obliged and required hereafter to amend and keep in Repair ſuch Road for Wheel-Carriages when finiſhed, ſo far as the ſame ſhall extend within their reſpective Pariſhes; and that the ſaid Juſtices and Veſtries of ſuch reſpective Pariſhes ſhall appoint Way-Wardens of the ſaid Road, and make Allotments of Negroes, Carts and Labour, and ſhall lay and levy Rates and Monies for the Amendment of the ſame, on the ſame Days and Times that they are required to do the ſame for the other Roads in the ſaid reſpective Pariſhes.

III. And be it further enacted by the Authority aforeſaid, That the reſpective Juſtices and Veſtries of ſuch the aforeſaid Pariſhes, through which the ſaid Road now is and ſhall be made, and the Surveyors and Way-Wardens of the ſaid Road, ſhall do every other lawful Act or Acts, Thing or Things, and ſhall have like Remedy and Juſtification for their, and every of their Actions relating thereto, in the ſame Manner as they could do, or might have in any Caſe relating to any of the Roads in the ſame Pariſhes reſpectively.

Penalty on Juſtices, &c. not doing their Duty.

IV. And be it further enacted by the Authority aforeſaid, That in caſe any Magiſtrate, Juſtice or Veſtryman, ſhall neglect to do his or their Duty in any or either of the Particulars herein before mentioned, he or they ſo offending ſhall, for every Offence, forfeit the Sum of One hundred Pounds, to be recovered in the Supreme Court of Judicature of this Iſland, by Action of Debt, Bill, Plaint, or Information; one Half whereof to be to our Sovereign Lord the King, his Heirs and Succeſſors, to be applied to and for the amending and repairing the Road herein before mentioned; and the other Moiety, or half Part, to him or them that ſhall ſue for the ſame.

FINIS.

Stamp.	Stamp.
VI Pence.	VI Pence.

To all to whom theſe Preſents ſhall come.

I Sir CRISP GASCOYNE, Knight, Lord Mayor of the City of LONDON, do hereby Certify, That on the Day of the Date hereof, perſonally come and appeared before me, FRANCIS EYRE of the *Strand*, in the Pariſh of *St. Martin in the Fields*, in the County of MIDDLESEX, Gentleman, being a Perſon well known and worthy of good Credit, and did by Solemn Oath, which he took upon the Holy Evangeliſts of Almighty GOD, ſolemnly Declare, Teſtify, and Depoſe to be true, the ſeveral Matters and Things contained in the Affidavit hereunto annexed.

L.S *IN Faith and Teſtimony whereof, I the ſaid Lord Mayor, have cauſed the Seal of the Office of Mayoralty of the ſaid City of* LONDON, *to be hereunto put and affixed, and the Paper Writing or Proclamation mentioned in the ſaid Affidavit, to be alſo hereunto annexed. Dated in* LONDON *the third Day of* September *in the Twenty-ſeventh Year of the Reign of our Sovereign Lord* GEORGE *the Second, by the Grace of GOD, King of* Great-Britain, France, *and* Ireland, *Defender of the Faith, &c. and in the Year of our LORD One Thouſand ſeven Hundred and Fifty-three.*

VERA-COPIA. MAN.

Stamp.	Stamp.
VI Pence.	VI Pence.

FRANCIS EYRE *of the* Strand, *in the Pariſh of* St. Martin in the Fields, *in the County of* MIDDLESEX, *Gentleman, maketh Oath, That this Deponent, with the Aſſiſtance of* Henry Rooke, *Eſq; Clerk of the Chappel of the Rolls in* Chancery-Lane, *did on the firſt Day of* September *Inſtant, carefully examine and compare the Paper Writing written on two Sheets of Paper, and hereunto annexed, and which purports to be the Copy of a Proclamation for the encouraging of Planters in his Majeſty's Iſland of* JAMAICA *in the* Weſt-Indies, *with the Roll on Record of the Inrolment of the ſaid Proclamation in the High Court of* Chancery *of* Great Britain *remaining in the ſaid Chappel of the Rolls, and that the ſaid hereunto annexed Copy is a true Copy of the ſaid Roll on Record, to the beſt of this Deponent's Knowledge, Belief and Examination, and that this Deponent was preſent and did ſee the ſaid* Henry Rooke *Sign and Atteſt the ſaid hereunto annexed Copy, at the Foot or End of the ſame, in ſuch Manner as the Atteſtation now appears thereto.*

Francis Eyre.

Sworn the 3d Day of *September*, 1753, before me, in *London*,

Criſp Gaſcoyne, Mayor.

VERA-COPIA.

Decima Septima Pars Patentium de Anno Regni Regis CAROLI, *Secundum Tertio decimo.* CAR. *2di.* 13*tio.*

A

PROCLAMACON

For the Encouraging of Planters in His MAJESTY'S *Iſland of* JAMAICA *in the* WEST-INDIES.

5. WEE being fully ſatisfied that our Iſland of JAMAICA, being a Pleaſant and moſt Fertile Soyle, and ſcituate Commodiouſly for Trade and Commerce, is likely, through GOD's Bleſſing, to be a greate Benefitt and Advantage to this, and other Our Kingdoms and Dominions, have thought fitt, for Encourageing of Our Subjects, as well ſuch as are already upon the ſaid Iſland, as all others that ſhall tranſport themſelves thither, and reſide and Plant there, to Declare and Publiſh, and Wee do hereby Declare and Publiſh, That thirtie Acres of improveable Lands ſhall bee granted and allotted, to every ſuch Perſon, Male or Female, being twelve Years old, or upwards, who now reſides, or within Two Years next enſuing, ſhall reſide upon the ſaid Iſland, and that the ſame ſhall bee aſſigned and ſett out by the Governor and Council within ſix Weekes, next after Notice ſhall bee given, in Writing, ſubſcribed by ſuch Planter or Planters, or ſome of them in Behalfe of the reſt, to the Governor or ſuch Officer as he ſhall appoint in that Behalfe, ſignifying their Reſolutions to plant there, and when they intend to bee on the Place: And in caſe they do not go thither within ſix Months then next enſuing, the ſaid allotment ſhall be void, and free to bee aſſigned to any other Planter, and that every Perſon and Perſons to whom ſuch aſſignment ſhall bee made, ſhall hold and enjoy the ſaid Lands, ſoe to bee aſſigned, and all Houſes, Edifices, Buildings and Incloſures thereupon to bee built or made, to them and their Heirs for ever, by and under ſuch Tenures as is uſual in other Plantations ſubject to Us. Nevertheleſſe they are to bee obliged to ſerve in Armes upon any Inſurrection, Mutiny, or Forraine Invaſion, and that the ſaid Aſſignments and Allotments ſhall be made and confirmed under the Publique Seale of the ſaid Iſland, with Power to Create any Mannor or Mannors, and with ſuch convenient and ſuitable Priveledges and Imunities as the Grantee ſhall reaſonably deſire and require, and a Draught of ſuch Aſſignment ſhall bee prepared by Our Learned Councell in the Lawe, and delivered to the Governor to that purpoſe, and that all Fiſhings and Piſcharies, and all Copper, Lead, Tin, Iron, Coales and all other Mines (except Gold and Silver) within ſuch reſpective Allotments ſhall bee enjoyed by the Grantees thereof, reſerving only a twentieth Part of the Product of the ſaid Mines to Our Uſe. And Wee do further Publiſh and Declare, That all Children of any of Our naturall borne Subjects of *England*, to bee borne in *Jamaica*, ſhall from their reſpective Births, bee reputed to bee, and ſhall bee, free Denizens of *England*; and ſhall have the ſame Priviledges, to all intents and purpoſes, as Our Free borne Subjects of *England*; and that all Free Perſons ſhall have Libertie without Interruption, to tranſport themſelves and their Families and any their Goods (except onley Coyne and Bullion) from any Our Dominions and Territories to the ſaid Iſland of *Jamaica*. And Wee doe ſtrictly Charge and Command all Planters, Soldiers, and others, upon the ſaid Iſland, to yield Obedience to the lawfull Commands of Our Right Truſty and welbeloved THOMAS Lord *Windſor*, now Our Governor of Our ſaid Iſland, and to every other Governor thereof for the Tyme being, under paine of Our Diſpleaſure and ſuch Penalties as may bee inflicted thereupon. *Given at Our Courte at* WHITEHALL, *the fourteenth Day of* December.

p'. ipm'. Regem.

Stamp. VI Pence.

Stamp. VI Pence.

This is a true Copy of the Original Record remaining in the Chapple of the Rolls, having been Examined by me

2 JY 61 HENRY ROOKE, *Cl' of the Rolls.*

VERA-COPIA.